



PLANNING COMMISSION AGENDA
PLANNING COMMISSION MEETING OF: NOVEMBER 4, 2004

CALL TO ORDER: COMMISSIONERS' BRIEFING, 5:40 P.M. in Council Chambers of City Hall, 400 Stewart Avenue, Las Vegas, Nevada

ATTENDANCE:

PRESENT: CHAIRMAN RICHARD TRUESDELL, VICE CHAIRMAN TODD NIGRO (arrived at 5:47 P.M.), MEMBERS STEVEN EVANS, BYRON GOYNES, LAURA McSWAIN, LEO DAVENPORT AND DAVID STEINMAN

STAFF PRESENT: MARGO WHEELER – PLANNING & DEVELOPMENT DEPT., DAVID CLAPSADDLE – PLANNING & DEVELOPMENT DEPT., KYLE WALTON – PLANNING & DEVELOPMENT DEPT., DAVID GUERRA – PUBLIC WORKS, YONG YAO LOU – PUBLIC WORKS, BRYAN SCOTT – CITY ATTORNEY'S OFFICE, ARLENE COLEMAN – CITY CLERK'S OFFICE, STACEY CAMPBELL – CITY CLERK'S OFFICE

MINUTES:

DAVID CLAPSADDLE, Planning and Development Department, referenced the following items:

Regarding Item 13 [SUP-5291] the item was on the agenda as a One Motion One Vote item. Staff received a letter from the applicant agreeing to all conditions. However, staff requested the item be brought forward for discussion because some of the conditions relate to the removal of on-site razor wire and removing some non-conforming on-premise signs. MR. CLAPSADDLE indicated he would be more comfortable with the applicant's concurrence to all conditions on the record. Staff also stated that Condition 7 would have to be deleted as it was added erroneously to the application.

Regarding Item 18 [SDR-5314], which is an apartment conversion, the item was on the agenda as a One Motion One Vote item; however, a letter of protest was received and the item would have to be brought forward for discussion.

Regarding Item 16 [SDR-5309], staff received a letter from the applicant agreeing to have the item on the agenda as a One Motion One Vote item; however, there were some minor condition changes such as amending the building separation from 20 feet down to 15 feet. MR. CLAPSADDLE stated the conditions changes are minor enough that the item can remain on One Motion One Vote and he would explain the changes during that portion of the meeting. He indicated the applicant was present.

Regarding Item 22 [ZON-4941], the Commissioners were given a copy of the Traffic Study and of the condition changes proposed by the Public Works Department for Condition 5. The condition removes two issues from the Traffic Study, which has not yet been approved, and

Public Works was comfortable with the change. The applicant concurred with all conditions including the newly amended Condition 5. MR. CLAPSADDLE invited the Commissioners to question Public Works staff during briefing if they had any questions. There were no specific questions with regard to the Traffic Study. DEPUTY CITY ATTORNEY BRYAN SCOTT did point out that he felt the applicant's name was spelled incorrectly on the Agenda Summary Page. The correct applicant name is Ambling not Amblin. MARGO WHEELER, Deputy Director, Planning and Development Department, confirmed the proper name is Ambling and noted the change for the record.

Regarding Item 36 [SDR-5257], the application is for a City Park at Gowan Road and Hualapai Way. Staff is suggesting the addition of language to Condition 5 that states "unless amended by a subsequent General Plan Amendment." The condition refers to a multi-use trail along the north side of Gowan Road. Previously, plan amendments have relocated or abandoned the trail on either side of Gowan Road. The trail still shows on the plan, and at some point it will most likely be removed to make it consistent with the adjacent properties.

MR. CLAPSADDLE reminded the Commission that at the last meeting there was a brief discussion about the proposed changes to the sign code. He opened up the briefing for comments because the topic had not been discussed entirely. CHAIRMAN TRUESDELL explained that the item was not discussed previously due to the lateness of the hour. The Commissioners did not engage in an in-depth discussion of the item but agreed to forward all questions and suggestions to Planning staff for review.

COMMISSIONER McSWAIN confirmed with MR. CLAPSADDLE that he did receive her comment letter. He explained that he understood what she was asking and that he would look into the matter and incorporate her comments into the presentation that would go before City Council on November 17th. She question whether the Commission would be reviewing staff's information before it was presented to Council. CHAIRMAN TRUESDELL explained that it would come back before the Commission in text form.

COMMISSIONER McSWAIN reiterated that she wanted to be invited to the meeting staff was going to organize with industry representatives. MR. CLAPSADDLE informed her that staff intended to make the presentation to Council, which would include the Commission's comments, as well as information on what other municipalities are doing regarding off-premise signs. After that report is given, there will be a process that includes meeting with industry representatives. Staff would bring the information to the Commission in text ordinance form and the billboard industry would be notified as to the hearing date so that they may attend and give feedback at a publicly noticed hearing.

She asked staff if they had any sense of the issues City Council was hoping to address compared to issues the Planning Commission has already raised. MR. CLAPSADDLE stated preliminary comments heard from Council indicated they would like to know what other jurisdictions are doing regarding off-premise signs. Also, when discussing visual clutter of on and off-premise signs, there is a sense of vagueness on the definition of the term "visual clutter" and Council

would like to see that term further defined. There was also concern about not wanting to make existing billboards illegal or non-conforming by the changing the ordinance.

COMMISSIONER McSWAIN confirmed with MR. CLAPSADDLE that if a billboard were to be removed under our current Code, the applicant would have to reapply for a permit for a replacement sign. She felt that the process would, in essence, make all signs on some level capable of becoming non-conforming. She questioned why the issue of non-conformance should be an obstacle in developing Code when it is a relevant issue. MR. CLAPSADDLE gave an example, saying that when the amendments were made to the distance separations for sexually oriented businesses, there was language stating that the business could be made non-conforming if a protected use came into the area and was located within the 1,000-foot distance separation area. That situation was slightly different but perhaps similar terminology could be used. Staff would investigate to find the best way to implement the new standards.

COMMISSIONER McSWAIN did not feel that was a fair comparison. She thought that if a sign were removed and the applicant had to request re-approval, the City should not have provisions in the Code that would not allow the new sign to be designated as non-conforming. If the situation had changed and a new neighborhood was coming into the area, the City should have the ability to refuse a permit for the sign. MR. CLAPSADDLE stated it would be examined and that a comment was received from Council relating to that issue.

DEPUTY CITY ATTORNEY SCOTT pointed out that there is also a Nevada Revised Statute (NRS) provision that says if the City was required to have a non-conforming sign removed, the City would then have to pay for the sign and for the lease of the sign over its lifetime. CHAIRMAN TRUESDELL stated the Code allows for review of off-premise signs whether existing or not, if there were suddenly a residential development within the distance separation area, the sign would become non-conforming. The question is, would something be triggered by any proposed changes that would require removal of an existing sign. COMMISSIONER McSWAIN understood his comments and stated that one thing she does not want to see is the loss of that protection. She noted that staff has made several recommendations of denial in the past on items where an area is designated as being in transition and because of that, the sign would no longer be appropriate. That security is already in place. She was concerned about how to re-define those areas while moving forward in determining what is acceptable.

COMMISSIONER McSWAIN suggested too much emphasis was being placed on distance separations and that distance, by itself, is not definitive enough. As an example, she cited Charleston Boulevard, where there are areas of retail commercial along a byway with residential on the other side. She did not feel those areas were appropriate for billboards regardless of the commercial aspects. By virtue of the way the Code is currently written, the City could give permission to have billboards all the way out to Red Rock Canyon. She wanted to look into the term "arterial streets" and perhaps the further clarification of that definition. COMMISSIONER McSWAIN stated she has never had a problem with signage in industrial areas in certain corridors but she voiced concern over only having a distance separation issue with a C-1 allowed use. She thought more definition of an appropriate area was needed.

CHAIRMAN TRUESDELL said that could be accomplished with definition of the exclusionary area. MR. CLAPSADDLE agreed and added that staff could make further examinations of the exclusionary zone. There may be some places where billboards could be allowed today that the City may want to review and possibly amend so that signs are no longer allowed there.

COMMISSIONER McSWAIN stated that ideally the zones could not be map generated. It would be better defined by stating that if an area develops, some areas could be in the exclusionary zone by virtue of the way they are designed. If a map were relied upon solely for the definition of exclusionary zones, it would have to be revised constantly and the City would always be behind the force that keeps the signs going up. MR. CLAPSADDLE acknowledged her comments.

CHAIRMAN TRUESDELL encouraged all members on the Commission to turn in their comments if they had not already done so. This will allow staff some direction from the board. He stated that there are appropriate areas for billboards and that he hoped the ordinance would include something that would limit or prohibit billboards west of Rainbow Boulevard because there have not been signs in that area and the residents believe that they will not be getting signs in that area.

(5:40 – 5:54)

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MEETING ADJOURNED AT 5:54 P.M.



PLANNING COMMISSION AGENDA
PLANNING COMMISSION MEETING OF: NOVEMBER 4, 2004

ALL ITEMS ON THIS AGENDA ARE SCHEDULED FOR ACTION UNLESS SPECIFICALLY NOTED OTHERWISE.

THESE PROCEEDINGS ARE BEING PRESENTED LIVE ON KCLV, CABLE CHANNEL 2. THE PLANNING COMMISSION MEETING, AS WELL AS ALL OTHER KCLV PROGRAMMING, CAN BE VIEWED ON THE CITY'S INTERNET AT www.kclv.tv. THE PROCEEDINGS WILL BE REBROADCAST ON KCLV CHANNEL 2 AND THE WEB SATURDAY AT 10:00 AM, THE FOLLOWING MONDAY AT MIDNIGHT AND TUESDAY AT 5:00 PM.

PLEDGE OF ALLEGIANCE was led by CHAIRMAN TRUESDELL

CALL TO ORDER: 6:04 P.M. in Council Chambers of City Hall, 400 Stewart Avenue, Las Vegas, Nevada

ANNOUNCEMENT RE: COMPLIANCE WITH OPEN MEETING LAW

MINUTES:

PRESENT: CHAIRMAN RICHARD TRUESDELL, VICE CHAIRMAN TODD NIGRO, MEMBERS STEVEN EVANS, BYRON GOYNES, LAURA McSWAIN, LEO DAVENPORT AND DAVID STEINMAN

STAFF PRESENT: MARGO WHEELER – PLANNING & DEVELOPMENT DEPT., DAVID CLAPSADDLE – PLANNING & DEVELOPMENT DEPT., KYLE WALTON – PLANNING & DEVELOPMENT DEPT., DAVID GUERRA – PUBLIC WORKS, YONG YAO LOU – PUBLIC WORKS, BRYAN SCOTT – CITY ATTORNEY'S OFFICE, ARLENE COLEMAN – CITY CLERK'S OFFICE, STACEY CAMPBELL – CITY CLERK'S OFFICE

DAVID CLAPSADDLE, Planning and Development Department, stated that the following items were requested to be held in abeyance, tabled or withdrawn without prejudice. Letters are on file for each of the requests.

Item 4 [TMP-5290]	Abeyance to 11/18/2004 Planning Commission meeting
Item 19 [VAC-5265]	Abeyance to 11/18/2004 Planning Commission meeting
Item 25 [MSP-4622]	TABLED
Item 26 [SUP-5112]	TABLED
Item 27 [SDR-5116]	TABLED
Item 28 [GPA-5102]	Abeyance to 12/02/2004 Planning Commission meeting
Item 29 [VAR-5113]	Abeyance to 12/02/2004 Planning Commission meeting
Item 30 [ZON-5106]	Abeyance to 12/02/2004 Planning Commission meeting
Item 31 [VAR-5110]	Abeyance to 12/02/2004 Planning Commission meeting
Item 32 [WVR-5294]	Abeyance to 12/02/2004 Planning Commission meeting
Item 33 [SDR-5108]	Abeyance to 12/02/2004 Planning Commission meeting
Item 38 [VAR-5099]	Abeyance to 1/13/2005 Planning Commission meeting
Item 39 [ZON-5092]	Abeyance to 1/13/2005 Planning Commission meeting
Item 40 [VAR-5300]	Abeyance to 1/13/2005 Planning Commission meeting

Item 41 [WVR-5299]	Abeyance to 1/13/2005 Planning Commission meeting
Item 42 [SDR-5098]	Abeyance to 1/13/2005 Planning Commission meeting
Item 43 [SUP-5096]	Abeyance to 1/13/2005 Planning Commission meeting
Item 44 [SDR-5093]	Abeyance to 1/13/2005 Planning Commission meeting
Item 59 [VAR-5227]	Abeyance to 12/02/2004 Planning Commission meeting
Item 61 [VAR-5298]	WITHDRAWN WITHOUT PREJUDICE

Regarding Item 4 [TMP-5290], the applicant has requested holding the item in abeyance until the 11/18/2004 Planning Commission meeting.

Regarding Item 19 [VAC-5265], the applicant has requested holding the item in abeyance until the 11/18/2004 Planning Commission meeting.

Regarding Item 25 [MSP-4622], the applicant has requested holding the item in abeyance until the 12/02/2004 Planning Commission meeting. Staff requested the item be tabled instead as this would be the applicant's third abeyance. Historically, when items come forward for a third abeyance, staff has suggested the item be tabled instead of held. DEPUTY CITY ATTORNEY BRYAN SCOTT informed CHAIRMAN TRUESDELL that State law provides that an item may be held twice and if there is good cause, it can be held for a third time. It is at the discretion of board if the item should be tabled or abeyed. VICE CHAIRMAN NIGRO asked the reason given for the abeyance request. MR. CLAPSADDLE explained that the request did not give a specific reason for the request and indicated he was aware that the applicant was having a problem with the Master Sign Plan. VICE CHAIRMAN said that that was not a justified reason for abeyance and he would be motioning to table the item.

Regarding Item 26 [SUP-5112] and Item 27 [SDR-5116], the applicant has requested that these items be tabled.

Regarding Item 28 [GPA-5102], Item 29 [VAR-5113], Item 30 [ZON-5106], Item 31 [VAR-5110], Item 32 [WVR-5294] and Item 33 [SDR-5108], are all related items and the applicant has requested holding these items until the 12/02/2004 Planning Commission meeting.

Regarding Item 38 [VAR-5099], Item 39 [ZON-5092], Item 40 [VAR-5300], Item 41 [WVR-5299], Item 42 [SDR-5098], Item 43 [SUP-5096] and Item 44 [SDR-5093] are all related items and the applicant has requested holding these items until the 1/13/2005 Planning Commission meeting.

Regarding Item 59 [VAR-5227], the applicant has requested holding the item in abeyance until the 12/02/2004 Planning Commission meeting.

Regarding Item 61 [VAR-5298], the applicant has requested that the item be withdrawn without prejudice.

(6:07 – 6:12)



AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: NOVEMBER 4, 2004

SUBJECT:

Approval of the minutes of the October 7, 2004, Planning Commission Meeting

MOTION:

NIGRO – APPROVED - UNANIMOUS

MINUTES:

There was no discussion.

(6:06 – 6:07)

1-66



AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: NOVEMBER 4, 2004

CHAIRMAN TRUESDELL announced the subdivision items could be appealed by the applicant or aggrieved person or a review requested by a member of the City Council.

ACTIONS:

ALL ACTIONS ON TENTATIVE AND FINAL SUBDIVISION MAPS ARE FINAL UNLESS AN APPEAL IS FILED BY THE APPLICANT OR AN AGGRIEVED PERSON, OR A REVIEW IS REQUESTED BY A MEMBER OF THE CITY COUNCIL WITHIN SEVEN DAYS OF THE DATE NOTICE IS SENT TO THE APPLICANT. UNLESS OTHERWISE INDICATED DURING THE MEETING, ALL OTHER ACTIONS BY THE PLANNING COMMISSION ARE RECOMMENDATIONS TO THE CITY COUNCIL, IN WHICH CASE ALL FINAL DECISIONS, CONDITIONS, STIPULATIONS OR LIMITATIONS ARE MADE BY THE CITY COUNCIL.

CHAIRMAN TRUESDELL read the statement on the order of the items and the time limitations on persons wishing to be heard on an item.

ANY ITEM LISTED IN THIS AGENDA MAY BE TAKEN OUT OF ORDER IF SO REQUESTED BY THE APPLICANT, STAFF, OR A MEMBER OF THE PLANNING COMMISSION. THE PLANNING COMMISSION MAY IMPOSE TIME LIMITATIONS, AS NECESSARY, ON THOSE PERSONS WISHING TO BE HEARD ON ANY AGENDA ITEM.



AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: NOVEMBER 4, 2004

CHAIRMAN TRUESEDELL noted the Rules of Conduct.

PLANNING COMMISSION MEETING RULES OF CONDUCT.

1. Staff will present each item to the Commission in order as shown on the agenda, along with a recommendation and suggested conditions of approval, if appropriate.
2. The applicant is asked to be at the public microphone during the staff presentation. When the staff presentation is complete, the applicant should state his name and address, and indicate whether or not he accepts staff's conditions of approval.
3. If areas of concern are known in advance, or if the applicant does not accept staff's conditions, the applicant or his representative is invited to make a brief presentation of his item with emphasis on any items of concern.
4. Persons other than the applicant who support the request are invited to make brief statements after the applicant. If more than one supporter is present, comments should not be repetitive. A representative is welcome to speak and indicate that he speaks for others in the audience who share his view.
5. Objectors to the item will be heard after the applicant and any other supporters. All who wish to speak will be heard, but in the interest of time it is suggested that representatives be selected who can summarize the views of any groups of interested parties.
6. After all objectors' input has been received, the applicant will be invited to respond to any new issues raised.
7. Following the applicant's response, the public hearing will be closed; Commissioners will discuss the item amongst themselves, ask any questions they feel are appropriate, and proceed to a motion and decision on the matter.
8. Letters, petitions, photographs and other submissions to the Commission will be retained for the record. Large maps, models and other materials may be displayed to the Commission from the microphone area, but need not be handed in for the record unless requested by the Commission.

As a courtesy, we would also ask those not speaking to be seated and not interrupt the speaker or the Commission. We appreciate your courtesy and hope you will help us make your visit with the Commission a good and fair experience.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: NOVEMBER 4, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

TMP-4921 - TENTATIVE MAP - SPRING MOUNTAIN TWILIGHT - APPLICANT: D.R. HORTON, INC. - OWNER: SPRING MOUNTAIN RANCH, LLC - Request for a Tentative Map FOR A 100-LOT SINGLE-FAMILY RESIDENTIAL SUBDIVISION on 17.83 acres adjacent to the southwest corner of Horse Drive and Fort Apache Road (APN 125-08-322-001), R-E (Residence Estates) and C-2 (General Commercial) Zones under Resolution of Intent to R-PD6 (Residential Planned Development - 6 Units Per Acre), Ward 6 (Mack).

P.C. FINAL ACTION

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

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APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

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RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

NIGRO – APPROVED subject to conditions Consent Item 1 [TMP-4921], Item 2 [TMP-5118], Item 3 [TMP-5271], Item 5 [TMP-5303], Item 6 [TMP-5308], Item 7 [TMP-5316], Item 8 [TMP-5318], Item 9 [TMP-5320], Item 10 [TMP-5321] and Item 11 [TMP-5375] – UNANIMOUS with NIGRO abstaining on Item 5 [TMP-5303] because he owns property within the notification boundary and Item 7 [TMP-5316] due to litigation with one of the applicants and with McSWAIN abstaining on Item 1 [TMP-4921] and Item 2 [TMP-5118] because her company is bidding work for DR Horton, Item 9 [TMP-5320] because her company is under contract with Royal Construction and Item 10 [TMP-5321] because her company is currently under contract with Richmond American Homes.

NOTE: CHAIRMAN TRUESDELL disclosed that he owns property in the downtown area; however, the property is located outside of the notification area for Item 11 [TMP-5375] and he would be voting on the item.

This is Final Action

PLANNING COMMISSION MEETING OF NOVEMBER 4, 2004
Planning and Development Department
Item 1 – TMP-4921

MINUTES:

CHAIRMAN TRUESDELL stated this is a consent item.

ROBERT CUNNINGHAM, 4445 South Jones Boulevard, appeared on behalf of the applicant of Item 8 [TMP-5318], and asked for clarification on Condition 4, which pertained to a multi-use trail. He wanted assurance that it was clarified that the trail is located within the beltway right-of-way and that it was to be built as part of the beltway, funded by Clark County. DAVID CLAPSADDLE, Planning and Development, stated the report stipulates that the trail is going to be in the right-of-way and would be constructed by Clark County, not the applicant. The intent of the condition was to put the applicant on notice that there would be a trail constructed there.

(6:12 – 6:15)

1-256

CONDITIONS:

Planning and Development

1. Approval of the Tentative Map shall be for no more than two (2) years. If a Final Map is not recorded on all or a portion of the area embraced by the Tentative Map within two (2) years of the approval of the Tentative Map, a new Tentative Map must be filed.
2. All development shall conform to the Conditions of Approval for applications for Rezoning ZON-4640, Site Development Plan Review SDR-4641, and a Variance VAR-4642.
3. Street names must be provided in accord with the City's Street Naming Regulations.
4. All development is subject to the conditions of City departments and state subdivision statutes.

Public Works

5. Grant a Traffic Signal Chord Easement at the southwest corner of Horse Drive and Fort Apache Road.
6. Coordinate the design of Horse Drive and Sky Pointe Road with the City Engineer's Division of the Department of Public Works. Issues such as, but not limited to, the location of Sky Point Road and Horse Drive as well as any additional right-of-way required for their location shall be resolved prior to the submittal of a Final Map for this site.

PLANNING COMMISSION MEETING OF NOVEMBER 4, 2004
Planning and Development Department
Item 1 – TMP-4921

CONDITIONS – Continued:

7. Site development to comply with all applicable conditions of approval for ZON-4640 and all other subsequent site-related actions.
8. The approval of all Public Works related improvements shown on this Tentative Map is in concept only. Specific design and construction details relating to size, type and/or alignment of improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to approval of the construction plans by the City. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the recordation of a Final Map or the approval of subdivision-related construction plans, whichever may occur first. Approval of this Tentative Map does not constitute approval of any deviations. If such approval cannot be obtained, a revised Tentative Map must be submitted showing elimination of such deviations.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: NOVEMBER 4, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

TMP-5118 - TENTATIVE MAP - DEER SPRINGS TWILIGHT -
APPLICANT/OWNER: DR HORTON, INC. - Request for a Tentative Map FOR A 94-LOT SINGLE-FAMILY RESIDENTIAL SUBDIVISION on 15.17 acres adjacent to the southeast corner of Deer Springs Way and Campbell Road (APN 125-20-301-006, 007 and 015), U (Undeveloped) Zone [TC (Town Center) General Plan Designation] under Resolution of Intent to T-C (Town Center) and T-C (Town Center) Zone, Ward 6 (Mack).

P.C. FINAL ACTION

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

NIGRO – APPROVED subject to conditions Consent Item 1 [TMP-4921], Item 2 [TMP-5118], Item 3 [TMP-5271], Item 5 [TMP-5303], Item 6 [TMP-5308], Item 7 [TMP-5316], Item 8 [TMP-5318], Item 9 [TMP-5320], Item 10 [TMP-5321] and Item 11 [TMP-5375] – **UNANIMOUS** with NIGRO abstaining on Item 5 [TMP-5303] because he owns property within the notification boundary and Item 7 [TMP-5316] due to litigation with one of the applicants and with McSWAIN abstaining on Item 1 [TMP-4921] and Item 2 [TMP-5118] because her company is bidding work for DR Horton, Item 9 [TMP-5320] because her company is under contract with Royal Construction and Item 10 [TMP-5321] because her company is currently under contract with Richmond American Homes.

NOTE: CHAIRMAN TRUESDELL disclosed that he owns property in the downtown area; however, the property is located outside of the notification area for Item 11 [TMP-5375] and he would be voting on the item.

This is Final Action

PLANNING COMMISSION MEETING OF NOVEMBER 4, 2004
Planning and Development Department
Item 2 – TMP-5118

MINUTES:

CHAIRMAN TRUESDELL stated this is a consent item.

ROBERT CUNNINGHAM, 4445 South Jones Boulevard, appeared on behalf of the applicant of Item 8 [TMP-5318], and asked for clarification on Condition 4, which pertained to a multi-use trail. He wanted assurance that it was clarified that the trail is located within the beltway right-of-way and that it was to be built as part of the beltway, funded by Clark County. DAVID CLAPSADDLE, Planning and Development, stated the report stipulates that the trail is going to be in the right-of-way and would be constructed by Clark County, not the applicant. The intent of the condition was to put the applicant on notice that there would be a trail constructed there.

(6:12 – 6:15)

1-256

CONDITIONS:

Planning and Development

1. Approval of the Tentative Map shall be for no more than two (2) years. If a Final Map is not recorded on all or a portion of the area embraced by the Tentative Map within two (2) years of the approval of the Tentative Map, a new Tentative Map must be filed.
2. All development shall conform to the Site Development Plan Review (SDR-4992) date stamped August 21, 2004 and approved by City Council on October 20, 2004.
3. The setbacks for this development shall be a minimum of 10 feet to the front of the house, 4 feet on the side, 5 feet on the corner side, and 15 feet in the rear, and 20 feet to the garage door from the common private drive.
4. All development is subject to the conditions of City Departments and State Subdivision Statutes.
5. Street names must be provided in accordance with the City's Street Naming Regulations.
6. The Final Map shall indicate that the walls along the side yards shall follow the "Z" configuration of the lot lines.
7. The Final Map shall indicate the Town Center trail on the north and south side of Deer Springs Way.

PLANNING COMMISSION MEETING OF NOVEMBER 4, 2004
Planning and Development Department
Item 2 – TMP-5118

CONDITIONS – Continued:

8. The Final Map shall indicate a 7.5-foot amenity zone and a 7-foot sidewalk along Campbell Road.

Public Works

9. If not already constructed at the time of development, construct all required offsite sewer to connect with the existing sewer within El Capitan Way. If the sewer line is constructed within the I-215 Beltway right-of-way, obtain a 20-foot wide offsite sanitary sewer easement between its northern right-of-way line and the north edge of the existing drainage facility. This easement may narrow in areas that would produce overlap with the existing flood control facility. Provide a plan to the Department of Public Works for approval prior to submittal of a Final Map for this site. Coordinate with Clark County to obtain an Encroachment Permit for all improvements within the Beltway right-of-way. Surface improvements and maintenance shall be as required by the Clark County Public Works Department and shall also meet City of Las Vegas requirements for public sewer access. Provide documentation acceptable to the City Engineer that Clark County agrees to placement of the sewer line within the Beltway right-of-way prior to the approval of construction drawings or the issuance of any permits for this site, whichever may occur first. If the sewer line cannot be placed within the I-215 Beltway right-of-way, obtain a 20-foot wide offsite sanitary sewer easement across the two adjacent parcels to the east to connect with the existing sewer within El Capitan Way, unless an alternative sanitary sewer alignment is accepted by the Collection Systems Planning Section. The sewer line shall be at a location and depth acceptable to the City Engineer. Provide a public sewer stub to the west in the southwest corner of this development.
10. Common elements must be defined as private drives offered as public utility easements (P.U.E.'s), City of Las Vegas public sewer easements and public drainage easements to be privately maintained by the Homeowner's Association.
11. Extend all required underground utilities, such as electrical, telephone, etc., located within public rights-of-way, past the boundaries of this site prior to construction of hard surfacing (asphalt or concrete).
12. Public drainage easements must be common lots or within private streets or private drives that are to be privately maintained by a homeowner's association or maintenance association for all public drainage not located within existing public street right-of-way.
13. Site development to comply with all applicable conditions of approval for Z-69-02, ZON-2970 and all other subsequent site-related actions.

PLANNING COMMISSION MEETING OF NOVEMBER 4, 2004
Planning and Development Department
Item 2 – TMP-5118

CONDITIONS – Continued:

14. The approval of all Public Works related improvements shown on this Tentative Map is in concept only. Specific design and construction details relating to size, type and/or alignment of improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to approval of the construction plans by the City. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the recordation of a Final Map or the approval of subdivision-related construction plans, whichever may occur first. Approval of this Tentative Map does not constitute approval of any deviations. If such approval cannot be obtained, a revised Tentative Map must be submitted showing elimination of such deviations.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: NOVEMBER 4, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

TMP-5271 - TENTATIVE MAP - TWIN LAKES BUSINESS PARK - APPLICANT: INTEGRITY ENGINEERING - OWNER: PMD ASSOCIATES - Request for a Tentative Map FOR A ONE-LOT COMMERCIAL SUBDIVISION on 7.21 acres adjacent to the southeast corner of Simmons Street and Holly Avenue (APN 139-20-801-006), M (Industrial) Zone, Ward 5 (Weekly).

P.C. FINAL ACTION

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

NIGRO – APPROVED subject to conditions Consent Item 1 [TMP-4921], Item 2 [TMP-5118], Item 3 [TMP-5271], Item 5 [TMP-5303], Item 6 [TMP-5308], Item 7 [TMP-5316], Item 8 [TMP-5318], Item 9 [TMP-5320], Item 10 [TMP-5321] and Item 11 [TMP-5375] – **UNANIMOUS** with NIGRO abstaining on Item 5 [TMP-5303] because he owns property within the notification boundary and Item 7 [TMP-5316] due to litigation with one of the applicants and with McSWAIN abstaining on Item 1 [TMP-4921] and Item 2 [TMP-5118] because her company is bidding work for DR Horton, Item 9 [TMP-5320] because her company is under contract with Royal Construction and Item 10 [TMP-5321] because her company is currently under contract with Richmond American Homes.

NOTE: CHAIRMAN TRUESDELL disclosed that he owns property in the downtown area; however, the property is located outside of the notification area for Item 11 [TMP-5375] and he would be voting on the item.

This is Final Action

PLANNING COMMISSION MEETING OF NOVEMBER 4, 2004
Planning and Development Department
Item 3 – TMP-5271

MINUTES:

CHAIRMAN TRUESDELL stated this is a consent item.

ROBERT CUNNINGHAM, 4445 South Jones Boulevard, appeared on behalf of the applicant of Item 8 [TMP-5318], and asked for clarification on Condition 4, which pertained to a multi-use trail. He wanted assurance that it was clarified that the trail is located within the beltway right-of-way and that it was to be built as part of the beltway, funded by Clark County. DAVID CLAPSADDLE, Planning and Development, stated the report stipulates that the trail is going to be in the right-of-way and would be constructed by Clark County, not the applicant. The intent of the condition was to put the applicant on notice that there would be a trail constructed there.

(6:12 – 6:15)

1-256

CONDITIONS:

Planning and Development

1. Approval of the Tentative Map shall be for no more than two (2) years. If a Final Map is not recorded on all or a portion of the area embraced by the Tentative Map within two (2) years of the approval of the Tentative Map, a new Tentative Map must be filed.
2. Street names must be provided in accordance with the City's Street Naming Regulations.
3. All development is subject to the conditions of City Departments and State Subdivision Statutes. Specifically this map shall conform to the City's Industrial District Development Standards and Residential Adjacency Standards.

Public Works

4. All appropriate Notes per Las Vegas Municipal Code Title 18 Subdivisions section 18.10.230 shall appear on the recorded Final Map. All Notes per sections (A), (B), and (C) as required shall appear on the Final Map.
5. Construct half-street improvements on Simmons Street and Holly Avenue adjacent to this site concurrent with development. Install all appurtenant underground facilities, if any, adjacent to this site needed for the future traffic signal system concurrent with development. Extend all required underground utilities, such as electrical, telephone, etc., located within unimproved public rights-of-way, past the boundaries of this site prior to construction of hard surfacing (asphalt or concrete). All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site.

PLANNING COMMISSION MEETING OF NOVEMBER 4, 2004
Planning and Development Department
Item 3 – TMP-5271

CONDITIONS – Continued:

6. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.
7. Site development to comply with all applicable conditions of approval for Z-103-97 and all other subsequent site-related actions.
8. The approval of all Public Works related improvements shown on this Tentative Map is in concept only. Specific design and construction details relating to size, type and/or alignment of improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to approval of the construction plans by the City. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the recordation of a Final Map or the approval of subdivision-related construction plans, whichever may occur first. Approval of this Tentative Map does not constitute approval of any deviations. If such approval cannot be obtained, a revised Tentative Map must be submitted showing elimination of such deviations.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: NOVEMBER 4, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

TMP-5290 - TENTATIVE MAP - CLIFF'S EDGE POD 201 & 203 - APPLICANT: KB HOME - OWNER: CLIFF'S EDGE, LLC, ET AL - Request for a Tentative Map FOR A 290-LOT SINGLE-FAMILY RESIDENTIAL SUBDIVISION on 41.10 acres adjacent to the southeast corner of Grand Teton Drive and Puli Road (APN 126-13-101-001 through 004; 126-13-101-009 through 011 and a portion of 126-13-201-019), PD (Planned Development) Zone [RSL (Residential Small Lot) and ML (Medium-Low Density Residential) Cliff's Edge Special Land Use Designations], Ward 6 (Mack).

P.C. FINAL ACTION

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

NIGRO – Motion to bring forward and HOLD IN ABEYANCE Item 4 [TMP-5290] and Item 19 [VAC-5265] to 11/18/2004 Planning Commission meeting, Item 28 [GPA-5102], Item 29 [VAR-5113], Item 30 [ZON-5106], Item 31 [VAR-5110], Item 32 [WVR-5294], Item 33 [SDR-5108] and Item 59 [VAR-5227] to 12/02/2004 Planning Commission meeting, Item 38 [VAR-5099], Item 39 [ZON-5092], Item 40 [VAR-5300], Item 41 [WVR-5299], Item 42 [SDR-5098], Item 43 [SUP-5096] and Item 44 [SDR-5093] to 1/13/2005 Planning Commission meeting, to TABLE Item 25 [MSP-4622], Item 26 [SUP-5112] and Item 27 [SDR-5116] and to accept the request to WITHDRAW WITHOUT PREJUDICE Item 61 [VAR-5298] – UNANIMOUS with McSWAIN abstaining on Item 19 [VAC-5265] because her company is bidding on work with DR Horton and on Item 4 [TMP-5290] and Item 61 [VAR-5298] because her company is under contract with each of the applicants (see Note below)

PLANNING COMMISSION MEETING OF NOVEMBER 4, 2004
Planning and Development Department
Item 4 – TMP-5290

MOTION – Continued:

NOTE: CHAIRMAN TRUESDELL disclosed that he does own property in the downtown area; however, it is not located within the notification area for Item 26 [SUP-5112] and Item 27 [SDR-5116] so he would be comfortable voting on both items.

NOTE: COMMISSIONER McSWAIN indicated she would abstain on Item 4 [TMP-5290] because her company is currently under contract with the KB Home and Item 61 [VAR-5298] because her company is currently under contract with the Molaskys.

MINUTES:

DAVID CLAPSADDLE, Planning and Development, stated that letters are on file for each of the requests.

(6:07 – 6:12)

1-115

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: NOVEMBER 4, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

TMP-5303 - TENTATIVE MAP - VALLEY HOSPITAL (A COMMERCIAL SUBDIVISION) - APPLICANT: CARTER & BURGESS, INC. - OWNER: VALLEY HEALTH SYSTEM, LLC - Request for a Tentative Map FOR A ONE-LOT COMMERCIAL SUBDIVISION on 19.84 acres adjacent to the southwest corner of Shadow Lane and Pinto Lane (APN 139-33-303-019, 020, 023, 024, 025 and 139-33-401-001, 002, 004 thru 007), PD (Planned Development) Zone [MD-2 (Major Medical) Las Vegas Medical District Special Land Use Designation], Ward 5 (Weekly).

P.C. FINAL ACTION

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

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RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

NIGRO – APPROVED subject to conditions Consent Item 1 [TMP-4921], Item 2 [TMP-5118], Item 3 [TMP-5271], Item 5 [TMP-5303], Item 6 [TMP-5308], Item 7 [TMP-5316], Item 8 [TMP-5318], Item 9 [TMP-5320], Item 10 [TMP-5321] and Item 11 [TMP-5375] – UNANIMOUS with NIGRO abstaining on Item 5 [TMP-5303] because he owns property within the notification boundary and Item 7 [TMP-5316] due to litigation with one of the applicants and with McSWAIN abstaining on Item 1 [TMP-4921] and Item 2 [TMP-5118] because her company is bidding work for DR Horton, Item 9 [TMP-5320] because her company is under contract with Royal Construction and Item 10 [TMP-5321] because her company is currently under contract with Richmond American Homes.

NOTE: CHAIRMAN TRUESDELL disclosed that he owns property in the downtown area; however, the property is located outside of the notification area for Item 11 [TMP-5375] and he would be voting on the item.

This is Final Action

PLANNING COMMISSION MEETING OF NOVEMBER 4, 2004
Planning and Development Department
Item 5 – TMP-5303

MINUTES:

CHAIRMAN TRUESDELL stated this is a consent item.

ROBERT CUNNINGHAM, 4445 South Jones Boulevard, appeared on behalf of the applicant of Item 8 [TMP-5318], and asked for clarification on Condition 4, which pertained to a multi-use trail. He wanted assurance that it was clarified that the trail is located within the beltway right-of-way and that it was to be built as part of the beltway, funded by Clark County. DAVID CLAPSADDLE, Planning and Development, stated the report stipulates that the trail is going to be in the right-of-way and would be constructed by Clark County, not the applicant. The intent of the condition was to put the applicant on notice that there would be a trail constructed there.

(6:12 – 6:15)

1-256

CONDITIONS:

Planning and Development

1. Approval of the Tentative Map shall be for no more than two (2) years. If a Final Map is not recorded on all or a portion of the area embraced by the Tentative Map within two (2) years of the approval of the Tentative Map, a new Tentative Map must be filed.
2. Street names must be provided in accordance with the City's Street Naming Regulations.
3. All development is subject to the conditions of City Departments and State Subdivision Statutes.

Public Works

4. Dedicate a 15 foot radius on the southeast corner of Rose Street and Pinto Lane, dedicate an additional 5 feet of right-of-way for a total radius of 15 feet on the southwest corner of Shadow Lane and Pinto Lane, and an additional 5 feet for a total radius of 15 feet on the northwest corner of Goldring Avenue and Shadow Lane.
5. Grant a five foot pedestrian easement along Goldring Avenue and Tonopah Drive where not previously granted.
6. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site.

PLANNING COMMISSION MEETING OF NOVEMBER 4, 2004
Planning and Development Department
Item 5 – TMP-5303

CONDITIONS – Continued:

7. All appropriate Notes per Las Vegas Municipal Code Title 18 Subdivisions section 18.10.230 shall appear on the recorded Final Map. All Notes per sections (A), (B), and (C) as required shall appear on the Final Map.
8. Site development to comply with all applicable conditions of approval for Z-20-97, the Las Vegas Medical District Neighborhood Plan, and all other subsequent site-related actions.
9. The approval of all Public Works related improvements shown on this Tentative Map is in concept only. Specific design and construction details relating to size, type and/or alignment of improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to approval of the construction plans by the City. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the recordation of a Final Map or the approval of subdivision-related construction plans, whichever may occur first. Approval of this Tentative Map does not constitute approval of any deviations. If such approval cannot be obtained, a revised Tentative Map must be submitted showing elimination of such deviations.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: NOVEMBER 4, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

TMP-5308 - TENTATIVE MAP - DESERT VIEW LOFTS - APPLICANT: BLUE HERON PROPERTIES - OWNER: W.M. LAND DEVELOPMENT - Request for a Tentative Map FOR A 23 LOT SINGLE FAMILY RESIDENTIAL SUBDIVISION on 4.75 acres adjacent to the southeast corner of Buffalo Drive and Del Rey Avenue (APN 163-03-201-001 and 002), R-E (Residence Estates) Zone under Resolution of Intent to R-PD5 (Residential Planned Development – 5 Units per Acre), Ward 1 (Moncrief).

P.C. FINAL ACTION

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

NIGRO – APPROVED subject to conditions Consent Item 1 [TMP-4921], Item 2 [TMP-5118], Item 3 [TMP-5271], Item 5 [TMP-5303], Item 6 [TMP-5308], Item 7 [TMP-5316], Item 8 [TMP-5318], Item 9 [TMP-5320], Item 10 [TMP-5321] and Item 11 [TMP-5375] – **UNANIMOUS** with NIGRO abstaining on Item 5 [TMP-5303] because he owns property within the notification boundary and Item 7 [TMP-5316] due to litigation with one of the applicants and with McSWAIN abstaining on Item 1 [TMP-4921] and Item 2 [TMP-5118] because her company is bidding work for DR Horton, Item 9 [TMP-5320] because her company is under contract with Royal Construction and Item 10 [TMP-5321] because her company is currently under contract with Richmond American Homes.

NOTE: CHAIRMAN TRUESDELL disclosed that he owns property in the downtown area; however, the property is located outside of the notification area for Item 11 [TMP-5375] and he would be voting on the item.

This is Final Action

PLANNING COMMISSION MEETING OF NOVEMBER 4, 2004
Planning and Development Department
Item 6 – TMP-5308

MINUTES:

CHAIRMAN TRUESDELL stated this is a consent item.

ROBERT CUNNINGHAM, 4445 South Jones Boulevard, appeared on behalf of the applicant of Item 8 [TMP-5318], and asked for clarification on Condition 4, which pertained to a multi-use trail. He wanted assurance that it was clarified that the trail is located within the beltway right-of-way and that it was to be built as part of the beltway, funded by Clark County. DAVID CLAPSADDLE, Planning and Development, stated the report stipulates that the trail is going to be in the right-of-way and would be constructed by Clark County, not the applicant. The intent of the condition was to put the applicant on notice that there would be a trail constructed there.

(6:12 – 6:15)

1-256

CONDITIONS:

Planning and Development

1. Approval of the Tentative Map shall be for no more than two (2) years. If a Final Map is not recorded on all or a portion of the area embraced by the Tentative Map within two (2) years of the approval of the Tentative Map, a new Tentative Map must be filed.
2. All development shall conform to the Conditions of Approval for a Rezoning and a Site Development Plan Review (ZON-4537) and (SDR-4539).
3. Street names must be provided in accord with the City's Street Naming Regulations.
4. All development is subject to the conditions of City Departments and State Subdivision Statutes.

Public Works

5. The Final Map for this site shall be labeled as a "Merger and Re-subdivision".
6. Site development to comply with all applicable conditions of approval for ZON-4537 and all other subsequent site-related actions.
7. The approval of all Public Works related improvements shown on this Tentative Map is in concept only. Specific design and construction details relating to size, type and/or alignment of improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to approval of the construction plans by the City. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the recordation of a Final

PLANNING COMMISSION MEETING OF NOVEMBER 4, 2004
Planning and Development Department
Item 6 – TMP-5308

CONDITIONS – Continued:

Map or the approval of subdivision-related construction plans, whichever may occur first. Approval of this Tentative Map does not constitute approval of any deviations. If such approval cannot be obtained, a revised Tentative Map must be submitted showing elimination of such deviations.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: NOVEMBER 4, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

TMP-5316 - TENTATIVE MAP - VERDE ACRES - APPLICANT/OWNER: LEONIDAS P. FLANGAS AND WANDA M. FLANGAS - Request for a Tentative Map FOR A 12-LOT SINGLE-FAMILY RESIDENTIAL SUBDIVISION on 3.88 acres adjacent to the southeast corner of La Madre Way and Jones Boulevard (APN 125-36-401-017), R-E (Residence Estates) Zone under Resolution of Intent to R-D (Single-Family Residential-Restricted) Zone, Ward 6 (Mack).

P.C. FINAL ACTION

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

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RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

NIGRO – APPROVED subject to conditions Consent Item 1 [TMP-4921], Item 2 [TMP-5118], Item 3 [TMP-5271], Item 5 [TMP-5303], Item 6 [TMP-5308], Item 7 [TMP-5316], Item 8 [TMP-5318], Item 9 [TMP-5320], Item 10 [TMP-5321] and Item 11 [TMP-5375] – UNANIMOUS with NIGRO abstaining on Item 5 [TMP-5303] because he owns property within the notification boundary and Item 7 [TMP-5316] due to litigation with one of the applicants and with McSWAIN abstaining on Item 1 [TMP-4921] and Item 2 [TMP-5118] because her company is bidding work for DR Horton, Item 9 [TMP-5320] because her company is under contract with Royal Construction and Item 10 [TMP-5321] because her company is currently under contract with Richmond American Homes.

NOTE: CHAIRMAN TRUESDELL disclosed that he owns property in the downtown area; however, the property is located outside of the notification area for Item 11 [TMP-5375] and he would be voting on the item.

This is Final Action

PLANNING COMMISSION MEETING OF NOVEMBER 4, 2004
Planning and Development Department
Item 7 – TMP-5376

MINUTES:

CHAIRMAN TRUESDELL stated this is a consent item.

ROBERT CUNNINGHAM, 4445 South Jones Boulevard, appeared on behalf of the applicant of Item 8 [TMP-5318], and asked for clarification on Condition 4, which pertained to a multi-use trail. He wanted assurance that it was clarified that the trail is located within the beltway right-of-way and that it was to be built as part of the beltway, funded by Clark County. DAVID CLAPSADDLE, Planning and Development, stated the report stipulates that the trail is going to be in the right-of-way and would be constructed by Clark County, not the applicant. The intent of the condition was to put the applicant on notice that there would be a trail constructed there.

(6:12 – 6:15)

1-256

CONDITIONS:

Planning and Development

1. Approval of the Tentative Map shall be for no more than two (2) years. If a Final Map is not recorded on all or a portion of the area embraced by the Tentative Map within two (2) years of the approval of the Tentative Map, a new Tentative Map must be filed.
2. Street names must be provided in accord with the City's Street Naming Regulations.
3. All development is subject to the conditions of City Departments and State Subdivision Statutes.

Public Works

4. If any asphalt cuts into Jones Boulevard are allowed all saw cuts shall be perpendicular or parallel to the flow of traffic and all street patches shall be from lip of gutter to lip of gutter and extend a minimum of 25 feet unless allowed otherwise by the City Engineer.
5. Site development to comply with all applicable conditions of approval for ZON-4987 and all other subsequent site-related actions.
6. The approval of all Public Works related improvements shown on this Tentative Map is in concept only. Specific design and construction details relating to size, type and/or alignment of improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to approval of the construction plans by the City. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the recordation of a Final Map or the approval of subdivision-related construction plans, whichever may occur first.

PLANNING COMMISSION MEETING OF NOVEMBER 4, 2004
Planning and Development Department
Item 7 – TMP-5376

CONDITIONS – Continued:

Approval of this Tentative Map does not constitute approval of any deviations. If such approval cannot be obtained, a revised Tentative Map must be submitted showing elimination of such deviations.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: NOVEMBER 4, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

TMP-5318 - TENTATIVE MAP - CENTENNIAL-JONES - APPLICANT: TANEY ENGINEERING - OWNER: BOYD FAMILY PARTNERSHIP, LIMITED PARTNERSHIP, ET AL - Request for a Tentative Map FOR A 161-LOT SINGLE-FAMILY RESIDENTIAL SUBDIVISION on 47.46 acres adjacent to the northeast corner of Centennial Parkway and Jones Boulevard (APN 125-24-401-001, 002, 010 and 011; 125-24-302-014), R-E (Residence Estates) Zone under Resolution of Intent to R-PD3 (Residential Planned Development - 3 Units per Acre), Ward 6 (Mack).

P.C. FINAL ACTION

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

NIGRO – APPROVED subject to conditions Consent Item 1 [TMP-4921], Item 2 [TMP-5118], Item 3 [TMP-5271], Item 5 [TMP-5303], Item 6 [TMP-5308], Item 7 [TMP-5316], Item 8 [TMP-5318], Item 9 [TMP-5320], Item 10 [TMP-5321] and Item 11 [TMP-5375] – **UNANIMOUS** with NIGRO abstaining on Item 5 [TMP-5303] because he owns property within the notification boundary and Item 7 [TMP-5316] due to litigation with one of the applicants and with McSWAIN abstaining on Item 1 [TMP-4921] and Item 2 [TMP-5118] because her company is bidding work for DR Horton, Item 9 [TMP-5320] because her company is under contract with Royal Construction and Item 10 [TMP-5321] because her company is currently under contract with Richmond American Homes.

NOTE: CHAIRMAN TRUESDELL disclosed that he owns property in the downtown area; however, the property is located outside of the notification area for Item 11 [TMP-5375] and he would be voting on the item.

This is Final Action

PLANNING COMMISSION MEETING OF NOVEMBER 4, 2004
Planning and Development Department
Item 8 – TMP-5318

MINUTES:

CHAIRMAN TRUESDELL stated this is a consent item.

ROBERT CUNNINGHAM, 4445 South Jones Boulevard, appeared on behalf of the applicant of Item 8 [TMP-5318], and asked for clarification on Condition 4, which pertained to a multi-use trail. He wanted assurance that it was clarified that the trail is located within the beltway right-of-way and that it was to be built as part of the beltway, funded by Clark County. DAVID CLAPSADDLE, Planning and Development, stated the report stipulates that the trail is going to be in the right-of-way and would be constructed by Clark County, not the applicant. The intent of the condition was to put the applicant on notice that there would be a trail constructed there.

(6:12 – 6:15)

1-256

CONDITIONS:

Planning and Development

1. Approval of the Tentative Map shall be for no more than two (2) years. If a Final Map is not recorded on all or a portion of the area embraced by the Tentative Map within two (2) years of the approval of the Tentative Map, a new Tentative Map must be filed.
1. All development shall conform to the Conditions of Approval for Site Development Plan Review, Variance, and a Rezoning (SDR-4461), (VAR-4462), and (ZON-4459).
2. Street names must be provided in accord with the City's Street Naming Regulations.
4. The applicant shall provide the required Multi-Use Transportation Trail adjacent to the Centennial Parkway alignment in accordance with Code standards.
5. All development is subject to the conditions of City Departments and State Subdivision Statutes.

Public Works

6. Extend all required underground utilities, such as electrical, telephone, etc., located within public rights-of-way, past the boundaries of this site prior to construction of hard surfacing (asphalt or concrete).
7. Site development to comply with all applicable conditions of approval for ZON-4459 and all other subsequent site-related actions.

PLANNING COMMISSION MEETING OF NOVEMBER 4, 2004
Planning and Development Department
Item 8 – TMP-5318

CONDITIONS – Continued:

8. The approval of all Public Works related improvements shown on this Tentative Map is in concept only. Specific design and construction details relating to size, type and/or alignment of improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to approval of the construction plans by the City. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the recordation of a Final Map or the approval of subdivision-related construction plans, whichever may occur first. Approval of this Tentative Map does not constitute approval of any deviations. If such approval cannot be obtained, a revised Tentative Map must be submitted showing elimination of such deviations.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: NOVEMBER 4, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

TMP-5320 - TENTATIVE MAP - SPINNAKER VILLAGE III - APPLICANT: ROYAL CONSTRUCTION - OWNER: SHADOW HILLS PLAZA LLC - Request for a Tentative Map FOR A 44-LOT SINGLE-FAMILY ATTACHED RESIDENTIAL SUBDIVISION on 3.70 acres on the west side of Shady Timber Street 900 feet north of Cheyenne Avenue (APN a portion of 137-12-401-022 and a portion of 137-12-801-001), PD (Planned Development) Zone [Medium-Low Attached Residential Lone Mountain Special Land Use Designation], Ward 6 (Mack).

P.C. FINAL ACTION

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

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APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

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RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

NIGRO – APPROVED subject to conditions Consent Item 1 [TMP-4921], Item 2 [TMP-5118], Item 3 [TMP-5271], Item 5 [TMP-5303], Item 6 [TMP-5308], Item 7 [TMP-5316], Item 8 [TMP-5318], Item 9 [TMP-5320], Item 10 [TMP-5321] and Item 11 [TMP-5375] – UNANIMOUS with NIGRO abstaining on Item 5 [TMP-5303] because he owns property within the notification boundary and Item 7 [TMP-5316] due to litigation with one of the applicants and with McSWAIN abstaining on Item 1 [TMP-4921] and Item 2 [TMP-5118] because her company is bidding work for DR Horton, Item 9 [TMP-5320] because her company is under contract with Royal Construction and Item 10 [TMP-5321] because her company is currently under contract with Richmond American Homes.

NOTE: CHAIRMAN TRUESDELL disclosed that he owns property in the downtown area; however, the property is located outside of the notification area for Item 11 [TMP-5375] and he would be voting on the item.

This is Final Action

PLANNING COMMISSION MEETING OF NOVEMBER 4, 2004
Planning and Development Department
Item 9 – TMP-5320

MINUTES – Continued:

CHAIRMAN TRUESDELL stated this is a consent item.

ROBERT CUNNINGHAM, 4445 South Jones Boulevard, appeared on behalf of the applicant of Item 8 [TMP-5318], and asked for clarification on Condition 4, which pertained to a multi-use trail. He wanted assurance that it was clarified that the trail is located within the beltway right-of-way and that it was to be built as part of the beltway, funded by Clark County. DAVID CLAPSADDLE, Planning and Development, stated the report stipulates that the trail is going to be in the right-of-way and would be constructed by Clark County, not the applicant. The intent of the condition was to put the applicant on notice that there would be a trail constructed there.

(6:12 – 6:15)

1-256

CONDITIONS:

Planning and Development

1. Approval of the Tentative Map shall be for no more than two (2) years. If a Final Map is not recorded on all or a portion of the area embraced by the Tentative Map within two (2) years of the approval of the Tentative Map, a new Tentative Map must be filed.
2. All development shall conform to the Conditions of Approval for Site Development Plan Review, Waiver, and a Modification (SDR-4751), (WVR-4754) and (MOD-4632).
3. Street names must be provided in accord with the City's Street Naming Regulations.
4. All development is subject to the conditions of City Departments and State Subdivision Statutes.

Public Works

5. Extend public sewer into each cluster of this site at a location and to a depth acceptable to the City Engineer. Provide public sewer easements for all public sewers not located within existing public street right-of-way prior to the issuance of any permits. Improvement Drawings submitted to the City for review shall not be approved for construction until all required public sewer easements necessary to connect this site to the existing public sewer system have been granted to the City.
6. Extend all required underground utilities, such as electrical, telephone, etc., located within public rights-of-way, past the boundaries of this site prior to construction of hard surfacing (asphalt or concrete).

PLANNING COMMISSION MEETING OF NOVEMBER 4, 2004
Planning and Development Department
Item 9 – TMP-5320

CONDITIONS – Continued:

7. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.
8. Site development to comply with all applicable conditions of approval for SDR-4751 and all other subsequent site-related actions.
9. The approval of all Public Works related improvements shown on this Tentative Map is in concept only. Specific design and construction details relating to size, type and/or alignment of improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to approval of the construction plans by the City. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the recordation of a Final Map or the approval of subdivision-related construction plans, whichever may occur first. Approval of this Tentative Map does not constitute approval of any deviations. If such approval cannot be obtained, a revised Tentative Map must be submitted showing elimination of such deviations.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: NOVEMBER 4, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

TMP-5321 - TENTATIVE MAP - CIMARRON/US 95 - APPLICANT: RICHMOND AMERICAN HOMES - OWNER: RANDEER LLC - Request for a Tentative Map FOR A 70-LOT SINGLE-FAMILY RESIDENTIAL SUBDIVISION on 12.11 acres adjacent to the northwest corner of Cimarron Road and Deer Springs Way (APN 125-21-202-004), T-C (Town Center) Zone [SX-TC (Suburban Mixed Use-Town Center) Town Center Land Use Designation], Ward 6 (Mack).

P.C. FINAL ACTION

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

NIGRO – APPROVED subject to conditions Consent Item 1 [TMP-4921], Item 2 [TMP-5118], Item 3 [TMP-5271], Item 5 [TMP-5303], Item 6 [TMP-5308], Item 7 [TMP-5316], Item 8 [TMP-5318], Item 9 [TMP-5320], Item 10 [TMP-5321] and Item 11 [TMP-5375] – **UNANIMOUS** with NIGRO abstaining on Item 5 [TMP-5303] because he owns property within the notification boundary and Item 7 [TMP-5316] due to litigation with one of the applicants and with McSWAIN abstaining on Item 1 [TMP-4921] and Item 2 [TMP-5118] because her company is bidding work for DR Horton, Item 9 [TMP-5320] because her company is under contract with Royal Construction and Item 10 [TMP-5321] because her company is currently under contract with Richmond American Homes.

NOTE: CHAIRMAN TRUESDELL disclosed that he owns property in the downtown area; however, the property is located outside of the notification area for Item 11 [TMP-5375] and he would be voting on the item.

This is Final Action

PLANNING COMMISSION MEETING OF NOVEMBER 4, 2004
Planning and Development Department
Item 10 – TMP-5321

MINUTES:

CHAIRMAN TRUESDELL stated this is a consent item.

ROBERT CUNNINGHAM, 4445 South Jones Boulevard, appeared on behalf of the applicant of Item 8 [TMP-5318], and asked for clarification on Condition 4, which pertained to a multi-use trail. He wanted assurance that it was clarified that the trail is located within the beltway right-of-way and that it was to be built as part of the beltway, funded by Clark County. DAVID CLAPSADDLE, Planning and Development, stated the report stipulates that the trail is going to be in the right-of-way and would be constructed by Clark County, not the applicant. The intent of the condition was to put the applicant on notice that there would be a trail constructed there.

(6:12 – 6:15)

1-256

CONDITIONS:

Planning and Development

1. Approval of the Tentative Map shall be for no more than two (2) years. If a Final Map is not recorded on all or a portion of the area embraced by the Tentative Map within two (2) years of the approval of the Tentative Map, a new Tentative Map must be filed.
2. All development shall conform to the Conditions of Approval for Site Development Plan Review, Waiver, and a Rezoning (SDR-4832), (WVR-4833) and (ZON-76-98).
3. The applicant shall provide the multi-use transportation trail along the eastern property line and the Town Center Loop Trail along the east side of Sky Pointe Drive as required by Code.
4. Street names must be provided in accord with the City's Street Naming Regulations.
5. All development is subject to the conditions of City Departments and State Subdivision Statutes.

Public Works

6. Dedicate a 25-foot radius on the northwest and southwest corners of Cimarron Road and Flying Embers Drive.
7. Extend all required underground utilities, such as electrical, telephone, etc., located within public rights-of-way, past the boundaries of this site prior to construction of hard surfacing (asphalt or concrete).

PLANNING COMMISSION MEETING OF NOVEMBER 4, 2004
Planning and Development Department
Item 10 – TMP-5321

CONDITIONS – Continued:

8. Site development to comply with all applicable conditions of approval for SDR-4832 and all other subsequent site-related actions.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: NOVEMBER 4, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

TMP-5375 - TENTATIVE MAP - NEWPORT LOFTS - APPLICANT: NEWPORT LOFTS - OWNER: SEEGMILLER PARTNERS, LIMITED LIABILITY COMPANY -
Request for a Tentative Map FOR A MIXED-USE DEVELOPMENT on 0.48 acres at 821 South Casino Center Boulevard (APN: 139-34-410-062,063,064, and 065), C-2 (General Commercial) Zone and R-4 (High Density Residential) under Resolution of Intent to C-2 (General Commercial, Ward 1 (Moncrief).

P.C. FINAL ACTION

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

NIGRO – APPROVED subject to conditions Consent Item 1 [TMP-4921], Item 2 [TMP-5118], Item 3 [TMP-5271], Item 5 [TMP-5303], Item 6 [TMP-5308], Item 7 [TMP-5316], Item 8 [TMP-5318], Item 9 [TMP-5320], Item 10 [TMP-5321] and Item 11 [TMP-5375] – **UNANIMOUS** with NIGRO abstaining on Item 5 [TMP-5303] because he owns property within the notification boundary and Item 7 [TMP-5316] due to litigation with one of the applicants and with McSWAIN abstaining on Item 1 [TMP-4921] and Item 2 [TMP-5118] because her company is bidding work for DR Horton, Item 9 [TMP-5320] because her company is under contract with Royal Construction and Item 10 [TMP-5321] because her company is currently under contract with Richmond American Homes.

NOTE: CHAIRMAN TRUESDELL disclosed that he owns property in the downtown area; however, the property is located outside of the notification area for Item 11 [TMP-5375] and he would be voting on the item.

This is Final Action

PLANNING COMMISSION MEETING OF NOVEMBER 4, 2004
Planning and Development Department
Item 11 – TMP-5375

MINUTES – Continued:

CHAIRMAN TRUESDELL stated this is a consent item.

ROBERT CUNNINGHAM, 4445 South Jones Boulevard, appeared on behalf of the applicant of Item 8 [TMP-5318], and asked for clarification on Condition 4, which pertained to a multi-use trail. He wanted assurance that it was clarified that the trail is located within the beltway right-of-way and that it was to be built as part of the beltway, funded by Clark County. DAVID CLAPSADDLE, Planning and Development, stated the report stipulates that the trail is going to be in the right-of-way and would be constructed by Clark County, not the applicant. The intent of the condition was to put the applicant on notice that there would be a trail constructed there.

(6:12 – 6:15)

1-256

CONDITIONS:

Planning and Development

1. Approval of the Tentative Map shall be for no more than two (2) years. If a Final Map is not recorded on all or a portion of the area included in the Tentative Map within two (2) years of the approval of the Tentative Map, a new Tentative Map must be filed.
2. The development shall conform to the Conditions of Approval for Site Development Review (SDR-4727).
3. The development shall comply with all City codes and State subdivision statutes.

Public Works

4. Site development to comply with all applicable conditions of approval for SDR-4727 and all other subsequent site-related actions.
5. The approval of all Public Works related improvements shown on this Tentative Map is in concept only. Specific design and construction details relating to size, type and/or alignment of improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to approval of the construction plans by the City. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the recordation of a Final Map or the approval of subdivision-related construction plans, whichever may occur first. Approval of this Tentative Map does not constitute approval of any deviations. If such approval cannot be obtained, a revised Tentative Map must be submitted showing elimination of such deviations.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: NOVEMBER 4, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

SUP-5276 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT/OWNER: DAVID A. TACK AND SUSAN M. TACK - Request for a Special Use Permit FOR A PROPOSED 40-FOOT HIGH, 21-FOOT X 32-FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 1720 South Main Street (APN 162-03-301-003), C-2 (General Commercial) Zone, Ward 1 (Moncrief).

C.C.: 12/01/04 - IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

NIGRO – APPROVED subject to conditions on Item 12 [SUP-5276], Item 14 [MSP-5311], Item 15 [SDR-5283], Item 16 [SDR-5309], Item 17 [SDR-5310] and Item 20 [SDR-5297] – UNANIMOUS with McSWAIN abstaining on Item 16 [SDR-5309] because her company is currently working for KB Homes

To be heard by the City Council on 12/01/2004

MINUTES:

CHAIRMAN TRUESDELL explained that these items will be considered in One Motion/One Vote and are routine public hearing items that have no protests, waivers from the Code or condition changes by the applicant or staff. All public hearings will be opened at one time. Any person representing the applicant or a member of the Planning Commission, not in agreement with all standard conditions for the applications recommended by staff, may request to have an item removed from this part of the Agenda.

PLANNING COMMISSION MEETING OF NOVEMBER 4, 2004
Planning and Development Department
Item 12 – SUP-5276

MINUTES – Continued:

CHAIRMAN TRUESDELL declared the Public Hearing open on Item 12 [SUP-5276], Item 14 [MSP-5311], Item 15 [SDR-5283], Item 16 [SDR-5309], Item 17 [SDR-5310] and Item 20 [SDR-5297].

DAVID CLAPSADDLE, Planning and Development Department, stated that staff would request that Item 13 [SUP-5291] be pulled from One Motion One Vote agenda so the applicant can comment and/or accept some new conditions. Also, staff received a written protest for Item 18 [SDR-5314] and staff suggested that item be removed from One Motion One Vote as well.

Regarding Item 16 [SDR-5309], MR. CLAPSADDLE indicated the applicant did sign a letter agreeing to the conditions; however, the applicant then asked to have two minor amendment changes. The applicant asked that Condition 4 be amended so that the distance between the buildings changes from 20 feet to 15 feet and also, to change Condition 10 to read that the applicant may bond for half-street improvements instead of a requirement to construct the half-street improvements. Staff is comfortable with these minor changes and has no problem with the item proceeding as One Motion One Vote.

CHAIRMAN TRUESDELL declared the Public Hearing closed on Item 12 [SUP-5276], Item 14 [MSP-5311], Item 15 [SDR-5283], Item 16 [SDR-5309], Item 17 [SDR-5310] and Item 20 [SDR-5297].

(6:15 – 6:20)
1-337

CONDITIONS:

Planning and Development

1. The off-premise advertising sign (billboard) supporting structure shall have finish materials that complement the existing on-site building.
2. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
3. The Special Use Permit shall be reviewed in five (5) years at which time the City Council may require the off-premise sign to be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the off-premise advertising (billboard) sign is removed.

PLANNING COMMISSION MEETING OF NOVEMBER 4, 2004
Planning and Development Department
Item 12 – SUP-5276

CONDITIONS – Continued:

4. If the existing off-premise advertising sign structure is removed, this Special Use Permit shall be expunged and a new off-premise advertising sign structure shall not be erected in the same location unless: (1) a new Special Use Permit is approved for the new structure by the City Council, or (2) the location is in compliance with all applicable standards of Title 19 including, but not limited to, distance separation requirements, or (3) a Variance to the applicable standards of Title 19 has been approved for the new structure by the City Council.
5. The off-premise advertising (billboard) sign and its supporting structure shall be properly maintained and kept free of graffiti at all times. Failure to perform the required maintenance may result in fines and/or removal of the off-premise advertising (billboard) sign.
6. Only one advertising sign is permitted per sign face.
7. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

8. The proposed off-premise advertising (billboard) sign shall not be located within public right-of-way, existing or proposed public sewer or drainage easements, or interfere with Site Visibility Restriction Zones.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: NOVEMBER 4, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

SUP-5291 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT/OWNER: HENRIK NAZERIAN - Request for a Special Use Permit FOR A PROPOSED AUTO REPAIR GARAGE (MINOR) at 5001 West Charleston Boulevard (APN 163-01-502-011) C-1 (Limited Commercial) Zone, Ward 1 (Moncrief).

C.C.: 12/01/04 - IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

NIGRO – APPROVED subject to conditions and deleting Condition 7 – UNANIMOUS

To be heard by the City Council on 12/01/2004

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open.

DAVID CLAPSADDLE, Planning and Development Department, stated that staff had no objection to this project but wanted to clarify some conditions for the record. He explained that Condition 7 should be entirely deleted and noted Condition 9, related to razor wire that is to be removed and also that Condition 10 requires illegal signage to be removed or brought up to Code.

The applicant did sign a letter agreeing to all conditions; however, staff wanted to have the applicant verbally agree on the record.

PLANNING COMMISSION MEETING OF NOVEMBER 4, 2004
Planning and Development Department
Item 13 – SUP-5291

MINUTES – Continued:

HAROLD FOSTER, 3230 Polaris Avenue, appeared on behalf of the applicant and agreed to all of staff's conditions.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

(6:20 – 6:21)
1-501

CONDITIONS:

Planning and Development

1. This Special Use Permit shall expire one year from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
2. All repair and service work shall be performed within a completely enclosed building.
4. No used or discarded automotive parts or equipment shall be located in any open area outside of an enclosed building.
5. No outside storage of stock, equipment or residual used equipment is permitted.
6. All disabled vehicles shall be stored in an area, which is screened from view from the surrounding properties and adjoining streets. Vehicles shall not be stored on the property longer than 45 days.
7. No building shall be located within 330 feet of any single family detached dwelling.
8. The installation and use of an outside public address or bell system is prohibited.
9. All razor wire located on the subject site shall be removed prior to issuance of a certificate of occupancy.
10. All illegal signage shall be removed or be brought into compliance prior to issuance of a certificate of occupancy.

PLANNING COMMISSION MEETING OF NOVEMBER 4, 2004
Planning and Development Department
Item 13 – SUP-5291

CONDITIONS – Continued:

11. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

12. Dedicate an additional 10 feet of right-of-way for a total radius of 25 feet on the southwest corner of Charleston Boulevard and Montclair Street within 60 days of approval of this Special Use Permit by the City Council; coordinate with the Right-of-Way Section of the Department of Public Works for assistance in the preparation of appropriate documents. This condition shall not be enforced if the applicant provides proof of an existing structure or other permanent improvements within the area requested for dedication.
13. Meet with the Fire Protection Engineering Section of the Department of Fire Services to discuss fire requirements for the proposed use of this facility.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: NOVEMBER 4, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

MSP-5311 - MASTER SIGN PLAN - PUBLIC HEARING - APPLICANT/OWNER: NORTHBROOKE, LLC - Request for a Master Sign Plan FOR AN APPROVED OFFICE AND RETAIL DEVELOPMENT on 7.86 acres at 4301 North Rancho Drive (APN 138-02-712-001), C-2 (General Commercial) Zone, Ward 6 (Mack).

C.C. 12/01/04

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

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APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

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RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

NIGRO – APPROVED subject to conditions on Item 12 [SUP-5276], Item 14 [MSP-5311], Item 15 [SDR-5283], Item 16 [SDR-5309], Item 17 [SDR-5310] and Item 20 [SDR-5297] – UNANIMOUS with McSWAIN abstaining on Item 16 [SDR-5309] because her company is currently working for KB Homes

This is Final Action

MINUTES:

CHAIRMAN TRUESDELL explained that these items will be considered in One Motion/One Vote and are routine public hearing items that have no protests, waivers from the Code or condition changes by the applicant or staff. All public hearings will be opened at one time. Any person representing the applicant or a member of the Planning Commission, not in agreement with all standard conditions for the applications recommended by staff, may request to have an item removed from this part of the Agenda.

PLANNING COMMISSION MEETING OF NOVEMBER 4, 2004
Planning and Development Department
Item 14 – MSP-5311

MINUTES – Continued:

CHAIRMAN TRUESDELL declared the Public Hearing open on Item 12 [SUP-5276], Item 14 [MSP-5311], Item 15 [SDR-5283], Item 16 [SDR-5309], Item 17 [SDR-5310] and Item 20 [SDR-5297].

DAVID CLAPSADDLE, Planning and Development Department, stated that staff would request that Item 13 [SUP-5291] be pulled from One Motion One Vote agenda so the applicant can comment and/or accept some new conditions. Also, staff received a written protest for Item 18 [SDR-5314] and staff suggested that item be removed from One Motion One Vote as well.

Regarding Item 16 [SDR-5309], MR. CLAPSADDLE indicated the applicant did sign a letter agreeing to the conditions; however, the applicant then asked to have two minor amendment changes. The applicant asked that Condition 4 be amended so that the distance between the buildings changes from 20 feet to 15 feet and also, to change Condition 10 to read that the applicant may bond for half-street improvements instead of a requirement to construct the half-street improvements. Staff is comfortable with these minor changes and has no problem with the item proceeding as One Motion One Vote.

CHAIRMAN TRUESDELL declared the Public Hearing closed on Item 12 [SUP-5276], Item 14 [MSP-5311], Item 15 [SDR-5283], Item 16 [SDR-5309], Item 17 [SDR-5310] and Item 20 [SDR-5297].

(6:15 – 6:20)
1-337

CONDITIONS:

Planning and Development

1. Conformance to the sign elevations and documentation submitted in conjunction with this request, dated 9/21/04, except as modified by conditions herein.
2. All signage shall have proper permits obtained through the Building and Safety Department.
3. The proposed pylon sign shall be set back a minimum of five feet from the front property line in accordance with the requirements of Title 19.14.
4. All banners and temporary signage shall be subject to the requirements of Title 19.14.

PLANNING COMMISSION MEETING OF NOVEMBER 4, 2004
Planning and Development Department
Item 14 – MSP-5311

CONDITIONS – Continued:

5. The maximum area and projection of wall signs shall be in conformance with the requirements of Title 19.14.
6. Any signage within 200 feet of residential properties shall be subject to the Residential Protection Standards listed in Title 19.14.
7. Any future amendments to the Master Sign Plan which are in compliance with the requirements of Title 19.14 for the subject zoning district may be reviewed and approved administratively by the Planning and Development Department.

Public Works

8. Site development to comply with all applicable conditions of approval for the Northbrooke (a Business Center) subdivision and all other applicable site-related actions.
9. Signs shall not be located within the public right-of-way, existing or proposed public sewer or drainage easements, or interfere with Site Visibility Restriction Zones.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: NOVEMBER 4, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

SDR-5283 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING -
APPLICANT: CW GROUP - OWNER: JIM MARSH, INC. - Request for a Site Development Review and Waivers of perimeter setback buffering and landscaping requirements and to allow a zero-foot setback along the west property line FOR A PROPOSED 8,346 SQUARE-FOOT AUTO BODY SHOP AND A PROPOSED 1,976 SQUARE-FOOT OFFICE WITH A 5,205 SQUARE-FOOT CANOPY AS ADDITIONS TO AN EXISTING AUTO DEALERSHIP on 4.28 acres at 8555 West Centennial Parkway (APN 125-29-510-003), T-C (Town Center) Zone [GC-TC (General Use Commercial) Town Center Land Use Designation], Ward 6 (Mack).

C.C. 12/01/04

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

NIGRO – APPROVED subject to conditions on Item 12 [SUP-5276], Item 14 [MSP-5311], Item 15 [SDR-5283], Item 16 [SDR-5309], Item 17 [SDR-5310] and Item 20 [SDR-5297] – **UNANIMOUS** with McSWAIN abstaining on Item 16 [SDR-5309] because her company is currently working for KB Homes

This is Final Action

MINUTES:

CHAIRMAN TRUESDELL explained that these items will be considered in One Motion/One Vote and are routine public hearing items that have no protests, waivers from the Code or condition changes by the applicant or staff. All public hearings will be opened at one time. Any

PLANNING COMMISSION MEETING OF NOVEMBER 4, 2004
Planning and Development Department
Item 15 – SDR-5283

MINUTES – Continued:

person representing the applicant or a member of the Planning Commission, not in agreement with all standard conditions for the applications recommended by staff, may request to have an item removed from this part of the Agenda.

CHAIRMAN TRUESDELL declared the Public Hearing open on Item 12 [SUP-5276], Item 14 [MSP-5311], Item 15 [SDR-5283], Item 16 [SDR-5309], Item 17 [SDR-5310] and Item 20 [SDR-5297].

DAVID CLAPSADDLE, Planning and Development Department, stated that staff would request that Item 13 [SUP-5291] be pulled from One Motion One Vote agenda so the applicant can comment and/or accept some new conditions. Also, staff received a written protest for Item 18 [SDR-5314] and staff suggested that item be removed from One Motion One Vote as well.

Regarding Item 16 [SDR-5309], MR. CLAPSADDLE indicated the applicant did sign a letter agreeing to the conditions; however, the applicant then asked to have two minor amendment changes. The applicant asked that Condition 4 be amended so that the distance between the buildings changes from 20 feet to 15 feet and also, to change Condition 10 to read that the applicant may bond for half-street improvements instead of a requirement to construct the half-street improvements. Staff is comfortable with these minor changes and has no problem with the item proceeding as One Motion One Vote.

CHAIRMAN TRUESDELL declared the Public Hearing closed on Item 12 [SUP-5276], Item 14 [MSP-5311], Item 15 [SDR-5283], Item 16 [SDR-5309], Item 17 [SDR-5310] and Item 20 [SDR-5297].

(6:15 – 6:20)

1-337

CONDITIONS:

Planning and Development

1. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.
2. All development shall be in conformance with the site plan and building elevations, date stamped October 26, 2004, except as amended by conditions herein. A waiver is granted to allow a zero foot setback on the west side of the property.

PLANNING COMMISSION MEETING OF NOVEMBER 4, 2004
Planning and Development Department
Item 15 – SDR-5283

CONDITIONS – Continued:

3. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
4. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner. [Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.]
5. Prior to the issuance of building permits, a revised landscape plan must be submitted to and approved by the Department of Planning and Development showing a maximum of 15% of the total landscaped area as turf.
6. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
7. Parking lot lighting standards shall be no more than 30 feet in height and shall utilize ‘shoe-box’ fixtures and downward-directed lights. Wallpack lighting shall utilize ‘shoe-box’ fixtures and downward-directed lights on the proposed building. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
8. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Municipal Code Section 19.12.050.
9. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.
10. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

11. Remove all substandard public street improvements, if any, adjacent to this site and replace with new improvements meeting current City Standards concurrent with on-site development activities.
12. An update to the previously approved Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any grading or building permits or submittal of any construction drawings, whichever may occur first. Provide and improve all drainageways as recommended in the approved drainage plan/study.

PLANNING COMMISSION MEETING OF NOVEMBER 4, 2004
Planning and Development Department
Item 15 – SDR-5283

CONDITIONS – Continued:

13. Site development to comply with all applicable conditions of approval for Site Development Plan Review SD-20-99, the Centennial Hills Center commercial subdivision, and all other applicable site-related actions.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: NOVEMBER 4, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

SDR-5309 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING -
APPLICANT: KB HOME - OWNER: CLIFF'S EDGE DEVELOPMENT, LLC -
Request for a Site Development Plan Review FOR A PROPOSED 224-UNIT RESIDENTIAL CONDOMINIUM DEVELOPMENT on 20.96 acres adjacent to the southeast corner of Grand Teton Drive and Egan Crest Drive (APN 126-13-501-001 and a portion of 126-13-601-018), PD (Planned Development) Zone [M (Medium Residential) Cliff's Edge Special Land Use Designation], Ward 6 (Mack).

C.C. 12/01/04

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

NIGRO – APPROVED subject to conditions on Item 12 [SUP-5276], Item 14 [MSP-5311], Item 15 [SDR-5283], Item 16 [SDR-5309], Item 17 [SDR-5310] and Item 20 [SDR-5297] – **UNANIMOUS** with McSWAIN abstaining on Item 16 [SDR-5309] because her company is currently working for KB Homes

This is Final Action

MINUTES:

CHAIRMAN TRUESDELL explained that these items will be considered in One Motion/One Vote and are routine public hearing items that have no protests, waivers from the Code or condition changes by the applicant or staff. All public hearings will be opened at one time. Any

PLANNING COMMISSION MEETING OF NOVEMBER 4, 2004
Planning and Development Department
Item 16 – SDR-5309

MINUTES – Continued:

person representing the applicant or a member of the Planning Commission, not in agreement with all standard conditions for the applications recommended by staff, may request to have an item removed from this part of the Agenda.

CHAIRMAN TRUESDELL declared the Public Hearing open on Item 12 [SUP-5276], Item 14 [MSP-5311], Item 15 [SDR-5283], Item 16 [SDR-5309], Item 17 [SDR-5310] and Item 20 [SDR-5297].

DAVID CLAPSADDLE, Planning and Development Department, stated that staff would request that Item 13 [SUP-5291] be pulled from One Motion One Vote agenda so the applicant can comment and/or accept some new conditions. Also, staff received a written protest for Item 18 [SDR-5314] and staff suggested that item be removed from One Motion One Vote as well.

Regarding Item 16 [SDR-5309], MR. CLAPSADDLE indicated the applicant did sign a letter agreeing to the conditions; however, the applicant then asked to have two minor amendment changes. The applicant asked that Condition 4 be amended so that the distance between the buildings changes from 20 feet to 15 feet and also, to change Condition 10 to read that the applicant may bond for half-street improvements instead of a requirement to construct the half-street improvements. Staff is comfortable with these minor changes and has no problem with the item proceeding as One Motion One Vote.

CHAIRMAN TRUESDELL declared the Public Hearing closed on Item 12 [SUP-5276], Item 14 [MSP-5311], Item 15 [SDR-5283], Item 16 [SDR-5309], Item 17 [SDR-5310] and Item 20 [SDR-5297].

(6:15 – 6:20)

1-337

CONDITIONS:

Planning and Development

1. This Site Development Plan Review shall expire two years from the date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
2. All development shall be in conformance with the site plan and building elevations, date stamped October 15, 2004, except as amended by conditions herein.
3. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.

PLANNING COMMISSION MEETING OF NOVEMBER 4, 2004
Planning and Development Department
Item 16 – SDR-5309

CONDITIONS – Continued:

4. The standards for this development shall include the following: minimum distance between buildings of 20 feet; building height shall not exceed two stories or 35 feet, whichever is less.
5. Parking lot lighting standards shall be no more than 20 feet in height and shall utilize 'shoe-box' fixtures and downward-directed lights. Wallpack lighting shall utilize 'shoe-box' fixtures and downward-directed lights on the proposed building.
6. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets. Air conditioning units shall not be mounted on rooftops.
7. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 19.12.050.
8. Any property line or perimeter wall shall be a decorative block wall with at least 20 percent contrasting materials. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.
9. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

10. If not already constructed by the Master Developer, construct half-street improvements including appropriate overpaving (if legally able) on Grand Teton Drive and Egan Crest Way adjacent to this site concurrent with development of this site. Install all appurtenant underground facilities, if any, adjacent to this site needed for the future traffic signal system concurrent with development of this site. Extend all required underground utilities, such as electrical, telephone, etc., located within public rights-of-way, past the boundaries of this site prior to construction of hard surfacing (asphalt or concrete). In addition, a minimum of two lanes of paved, legal access to the nearest constructed public street shall be in place prior to final inspection of any units within this site.
11. If not constructed at the time of development by the Master Developer, landscape and maintain all unimproved right-of-way adjacent to this site concurrent with development of this site.
12. If not obtained at the time of development by the Master Developer, obtain an Encroachment Agreement for all landscaping and private improvements in the public rights-of-way adjacent to this site.

PLANNING COMMISSION MEETING OF NOVEMBER 4, 2004
Planning and Development Department
Item 16 – SDR-5309

CONDITIONS – Continued:

13. Gated access driveways shall be designed, located and constructed in accordance with Standard Drawing #222A. A traffic queuing analysis for both proposed gated access drives on Grand Teton Drive must be submitted to and approved by the City Traffic Engineer prior to the issuance of any permits or the submittal of any construction drawings for this site, whichever may occur first. Gates may be closed during peak hours at this time, however gates may be required to remain open during peak hours in the future as determined by the City Traffic Engineer.
16. A Homeowner's Association shall be established to maintain all perimeter walls, private roadways, landscaping and common areas created with this development. All landscaping shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.
17. The design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.
18. Show and dimension the common lots and adjacent right-of-way on the Final Map(s) for this site as recorded by the Cliff's Edge parent map and include the recorder's information (subdivision name, book and page number).
19. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.

PLANNING COMMISSION MEETING OF NOVEMBER 4, 2004
Planning and Development Department
Item 16 – SDR-5309

CONDITIONS – Continued:

20. Site development to comply with all applicable conditions of approval for previous zoning actions, Cliff's Edge Parent Map, Cliff's Edge Development Standards, Design Guidelines and Development Agreement and all other applicable site-related actions.
21. The approval of all Public Works related improvements shown on this Site Development Plan Review is in concept only. Specific design and construction details relating to size, type and/or alignment of improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to submittal of a Tentative Map or construction drawings, whichever may occur first. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the submittal of a Tentative Map or construction drawings, whichever may occur first.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: NOVEMBER 4, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

SDR-5310 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT/OWNER: LONGFORD AT LAKE MEAD, LLC - Request for a Site Development Plan Review and a Waiver of Title 19.12.050.E to eliminate a required minimum five-foot landscape buffer between the street curb and sidewalk FOR A PROPOSED 41,863 SQUARE-FOOT COMMERCIAL CENTER WITH A DRIVE-THROUGH RESTAURANT on 4.85 acres adjacent to the south side of Lake Mead Boulevard, approximately 300 feet east of Tonopah Drive (APN 139-21-314-001), R-E (Residence Estates) Zone under Resolution of Intent to C-1 (Limited Commercial) Zone, Ward 5 (Weekly).

P.C. FINAL ACTION

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

NIGRO – APPROVED subject to conditions on Item 12 [SUP-5276], Item 14 [MSP-5311], Item 15 [SDR-5283], Item 16 [SDR-5309], Item 17 [SDR-5310] and Item 20 [SDR-5297] – **UNANIMOUS** with McSWAIN abstaining on Item 16 [SDR-5309] because her company is currently working for KB Homes

To be heard by City Council 12/01/2004

MINUTES:

CHAIRMAN TRUESDELL explained that these items will be considered in One Motion/One Vote and are routine public hearing items that have no protests, waivers from the Code or condition changes by the applicant or staff. All public hearings will be opened at one time. Any

PLANNING COMMISSION MEETING OF NOVEMBER 4, 2004
Planning and Development Department
Item 17 – SDR-5310

MINUTES – Continued:

person representing the applicant or a member of the Planning Commission, not in agreement with all standard conditions for the applications recommended by staff, may request to have an item removed from this part of the Agenda.

CHAIRMAN TRUESDELL declared the Public Hearing open on Item 12 [SUP-5276], Item 14 [MSP-5311], Item 15 [SDR-5283], Item 16 [SDR-5309], Item 17 [SDR-5310] and Item 20 [SDR-5297].

DAVID CLAPSADDLE, Planning and Development Department, stated that staff would request that Item 13 [SUP-5291] be pulled from One Motion One Vote agenda so the applicant can comment and/or accept some new conditions. Also, staff received a written protest for Item 18 [SDR-5314] and staff suggested that item be removed from One Motion One Vote as well.

Regarding Item 16 [SDR-5309], MR. CLAPSADDLE indicated the applicant did sign a letter agreeing to the conditions; however, the applicant then asked to have two minor amendment changes. The applicant asked that Condition 4 be amended so that the distance between the buildings changes from 20 feet to 15 feet and also, to change Condition 10 to read that the applicant may bond for half-street improvements instead of a requirement to construct the half-street improvements. Staff is comfortable with these minor changes and has no problem with the item proceeding as One Motion One Vote.

CHAIRMAN TRUESDELL declared the Public Hearing closed on Item 12 [SUP-5276], Item 14 [MSP-5311], Item 15 [SDR-5283], Item 16 [SDR-5309], Item 17 [SDR-5310] and Item 20 [SDR-5297].

(6:15 – 6:20)

1-337

CONDITIONS:

Planning and Development

1. If this Site Development Plan Review is not exercised within two years of the City Council approval, this Site Development Plan Review shall be void unless an Extension of Time is granted.
2. A revised site plan shall be submitted to the Planning and Development Department, which shows a 10-foot side yard setback to the drive through of the bank from the east property line, before the issue of building permits.
3. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.

PLANNING COMMISSION MEETING OF NOVEMBER 4, 2004
Planning and Development Department
Item 17 – SDR-5310

CONDITIONS – Continued:

4. All development shall be in conformance with the site plan and building elevations, date stamped September 21, 2004, except as amended by conditions herein.
5. Prior to the issuance of building permits, a revised landscape plan must be submitted to and approved by the Department of Planning and Development showing a maximum of 15% of the total landscaped area as turf.
6. Parking lot lighting standards shall be no more than 30 feet in height and shall utilize 'shoe-box' fixtures and downward-directed lights. Wallpack lighting shall utilize 'shoe-box' fixtures and downward-directed lights on the proposed building.
7. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. Wall heights shall be a maximum of six feet in height and shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.
8. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner.
9. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
10. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 19.12.050.
11. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

12. Construct sidewalk on at least one side of all access drives connecting this site to the adjacent public streets concurrent with development of this site; the connecting sidewalk shall extend from the sidewalk on the public street to the first intersection of the on-site roadway network; the connecting sidewalk shall be terminated on-site with a handicap ramp.

PLANNING COMMISSION MEETING OF NOVEMBER 4, 2004
Planning and Development Department
Item 17 – SDR-5310

CONDITIONS – Continued:

13. An update to the Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits or submittal of any construction drawings. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.
14. An update to the Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits or submittal of any construction drawings, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study.
15. Site development to comply with all applicable conditions of approval for ZON-3335, TMP-3435, and all other subsequent site-related actions.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: NOVEMBER 4, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

SDR-5314 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING -
APPLICANT: STANLEY CONSULTANTS, INC - OWNER: SNIP ST CROIX, LP -
Request for Site Development Plan Review FOR A 256-UNIT RESIDENTIAL
CONDOMINIUM CONVERSION on 10.62 acres at 6661 Silverstream Avenue (APN 138-26-
302-002 and 138-26-401-002), R-3 (Medium Density Residential) Zone, Ward 2 (Wolfson).

C.C. 12/01/04

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

NIGRO – APPROVED subject to conditions – UNANIMOUS

To be heard by the City Council on 12/01/2004

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open.

DAVID CLAPSADDLE, Planning and Development Department, explained that staff did not have any objections to this conversion. He indicated that with applications such as this, staff will verify conformity to the Code. Staff had received a letter of protest regarding this item and therefore asked for it to be removed from the One Motion One Vote portion of the agenda.

SUSAN JOHNSTON, Stanley Consultants, 5820 South Eastern Avenue, appeared on behalf of

PLANNING COMMISSION MEETING OF NOVEMBER 4, 2004
Planning and Development Department
Item 18 – SDR-5314

MINUTES – Continued:

the applicant and concurred with all conditions.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

(6:21 – 6:23)
1-555

CONDITIONS:

Planning and Development

1. This Site Development Plan Review shall expire one year from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
2. All development shall be in conformance with the site plan and building elevations date stamped September 21, 2004, and the original Site Development Plan Review (Z-0009-85) except as amended by these conditions.
3. Prior to the submittal of a Final Map, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.
4. All City Code requirements and design standards of all City departments must be satisfied.
5. A Homeowners Association shall be established to maintain all perimeter walls, private streets, including all common areas created by this action.
6. No turf shall be permitted in the non-recreational common areas, such as perimeter zones, foundation zones, medians, and parking lot corners. Landscaped zones between and around buildings shall be limited to a total of 30% turf.
7. Fully enclosed trash enclosures shall be constructed, using the same design theme and materials similar to those used in the main structures.
8. Parking areas adjacent to eight buildings shall be repainted to create eight new handicap parking spaces.

PLANNING COMMISSION MEETING OF NOVEMBER 4, 2004
Planning and Development Department
Item 18 – SDR-5314

CONDITIONS – Continued:

Public Works

9. Remove all substandard public street improvements adjacent to this site, if any, and replace with new improvements meeting current City Standards prior to the recordation of a Final Map for this site.
10. The Final Map for this site shall not be approved until all required public sewer connection fees have been paid to the City of Las Vegas.
11. Meet with the Flood Control Section of the Department of Public Works prior to submittal of a Final Map for this site to determine if a drainage study update shall be required. Comply with the recommendations of the Flood Control Section.
12. Meet with the Fire Protection Engineering Section of the Department of Fire Services prior to submittal of a Final Map for this site. The design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.
13. Site development to comply with all applicable conditions of approval for Z-9-85 and all other subsequent site-related actions.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: NOVEMBER 4, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

VAC-5265 - VACATION - PUBLIC HEARING - APPLICANT/OWNER: DR HORTON, INC. - Petition to Vacate a portion of Moccasin Road east of Durango Drive, Ward 6 (Mack).

SET DATE: 11/17/04 **C.C.** 12/01/04

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

NIGRO – Motion to bring forward and HOLD IN ABEYANCE Item 4 [TMP-5290] and Item 19 [VAC-5265] to 11/18/2004 Planning Commission meeting, Item 28 [GPA-5102], Item 29 [VAR-5113], Item 30 [ZON-5106], Item 31 [VAR-5110], Item 32 [WVR-5294], Item 33 [SDR-5108] and Item 59 [VAR-5227] to 12/02/2004 Planning Commission meeting, Item 38 [VAR-5099], Item 39 [ZON-5092], Item 40 [VAR-5300], Item 41 [WVR-5299], Item 42 [SDR-5098], Item 43 [SUP-5096] and Item 44 [SDR-5093] to 1/13/2005 Planning Commission meeting, to TABLE Item 25 [MSP-4622], Item 26 [SUP-5112] and Item 27 [SDR-5116] and to accept the request to WITHDRAW WITHOUT PREJUDICE Item 61 [VAR-5298] – UNANIMOUS with McSWAIN abstaining on Item 19 [VAC-5265] because her company is bidding on work with DR Horton and on Item 4 [TMP-5290] and Item 61 [VAR-5298] because her company is under contract with each of the applicants (see Note below)

NOTE: CHAIRMAN TRUESDELL disclosed that he does own property in the downtown area; however, it is not located within the notification area for Item 26 [SUP-5112] and Item 27 [SDR-5116] so he would be comfortable voting on both items.

PLANNING COMMISSION MEETING OF NOVEMBER 4, 2004
Planning and Development Department
Item 19 – VAC-5295

MOTION – Continued:

NOTE: COMMISSIONER McSWAIN indicated she would abstain on Item 4 [TMP-5290] because her company is currently under contract with the KB Home and Item 61 [VAR-5298] because her company is currently under contract with the Molaskys.

MINUTES:

DAVID CLAPSADDLE, Planning and Development, stated that letters are on file for each of the requests.

(6:07 – 6:12)

1-115

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: NOVEMBER 4, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

SDR-5297 - SITE DEVELOPMENT PLAN REVIEW - NON-PUBLIC HEARING - APPLICANT/OWNER: CONQUISTADOR PLAZA, LLC - Request for a Site Development Plan Review FOR A PROPOSED 12,250 SQUARE FOOT SINGLE-STORY OFFICE BUILDING on 1.23 acres adjacent to the northwest corner of Cheyenne Avenue and Metro Academy Way (APN a portion of 138-07-411-011), PD (Planned Development) Zone [Neighborhood Commercial Lone Mountain Special Land Use Designation], Ward 4 (Brown).

P.C. FINAL ACTION

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

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RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

NIGRO – APPROVED subject to conditions on Item 12 [SUP-5276], Item 14 [MSP-5311], Item 15 [SDR-5283], Item 16 [SDR-5309], Item 17 [SDR-5310] and Item 20 [SDR-5297] – UNANIMOUS with McSWAIN abstaining on Item 16 [SDR-5309] because her company is currently working for KB Homes

This is Final Action

MINUTES:

CHAIRMAN TRUESDELL explained that these items will be considered in One Motion/One Vote and are routine public hearing items that have no protests, waivers from the Code or condition changes by the applicant or staff. All public hearings will be opened at one time. Any

PLANNING COMMISSION MEETING OF NOVEMBER 4, 2004
Planning and Development Department
Item 20 – SDR-5297

MINUTES – Continued:

person representing the applicant or a member of the Planning Commission, not in agreement with all standard conditions for the applications recommended by staff, may request to have an item removed from this part of the Agenda.

CHAIRMAN TRUESDELL declared the Public Hearing open on Item 12 [SUP-5276], Item 14 [MSP-5311], Item 15 [SDR-5283], Item 16 [SDR-5309], Item 17 [SDR-5310] and Item 20 [SDR-5297].

DAVID CLAPSADDLE, Planning and Development Department, stated that staff would request that Item 13 [SUP-5291] be pulled from One Motion One Vote agenda so the applicant can comment and/or accept some new conditions. Also, staff received a written protest for Item 18 [SDR-5314] and staff suggested that item be removed from One Motion One Vote as well.

Regarding Item 16 [SDR-5309], MR. CLAPSADDLE indicated the applicant did sign a letter agreeing to the conditions; however, the applicant then asked to have two minor amendment changes. The applicant asked that Condition 4 be amended so that the distance between the buildings changes from 20 feet to 15 feet and also, to change Condition 10 to read that the applicant may bond for half-street improvements instead of a requirement to construct the half-street improvements. Staff is comfortable with these minor changes and has no problem with the item proceeding as One Motion One Vote.

CHAIRMAN TRUESDELL declared the Public Hearing closed on Item 12 [SUP-5276], Item 14 [MSP-5311], Item 15 [SDR-5283], Item 16 [SDR-5309], Item 17 [SDR-5310] and Item 20 [SDR-5297].

(6:15 – 6:20)

1-337

CONDITIONS:

Planning and Development

1. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
2. All development shall be in conformance with the site plan and building elevations, date stamped 09/21/04, except as amended by conditions herein.

PLANNING COMMISSION MEETING OF NOVEMBER 4, 2004
Planning and Development Department
Item 20 – SDR-5297

CONDITIONS – Continued:

3. All development shall be in conformance to the Conditions of Approval for Rezoning Z-95-98, MSP-2019 and the Conquistador Plaza commercial subdivision.
4. Prior to the issuance of building permits, a revised landscape plan must be submitted to and approved by the Department of Planning and Development showing the entire property, calling out the property lines. At least two trees shall be indicated along the east property line on Metro Academy Way, and at least nine trees in the parking areas, including parking fingers.

Public Works

5. Remove all substandard public street improvements, if any, adjacent to this site and replace with new improvements meeting current City Standards concurrent with on-site development activities.
6. An update to the previously approved Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any grading or building permits or the submittal of any construction drawings, whichever may occur first. Provide and improve all drainageways as recommended in the approved drainage plan/study.
7. Site development to comply with all applicable conditions of approval for Zoning Reclassification Z-95-98, the Conquistador Plaza commercial subdivision and all other applicable site-related actions.
8. The approval of all Public Works related improvements shown on this Site Development Plan Review is in concept only. Specific design and construction details relating to size, type and/or alignment of improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to submittal of a Tentative Map or construction drawings, whichever may occur first. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the submittal of a Tentative Map or construction drawings, whichever may occur first.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: NOVEMBER 4, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

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DISCUSSION

SUBJECT:

ABEYANCE - GPA-5034 - GENERAL PLAN AMENDMENT - PUBLIC HEARING – APPLICANT: AMBLINE MULTI-FAMILY DEVELOPMENT – OWNER: ALTA MLK, LLC - Request to Amend a portion of the Southeast Sector Plan of the General Plan FROM: SC (SERVICE COMMERCIAL) TO: H (HIGH DENSITY RESIDENTIAL) on 16.78 acres north of Alta Drive and west of Martin L. King Boulevard (APN 139-33-202-005), Ward 5 (Weekly).

C.C. 11/17/04

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

12

APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Submitted at Meeting – Opposition Petition with twelve signatures

MOTION:

GOYNES – APPROVED subject to conditions – UNANIMOUS with NIGRO abstaining because he owns property located within the notification boundary of these items

To be heard by the City Council on 11/17/2004

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open on Item 21 [GPA-5034], Item 22 [ZON-4941], Item 23 [VAR-5035] and Item 24 [SDR-5155].

DAVID CLAPSADDLE, Planning and Development Department, explained that this item had previously been held in abeyance for two reasons. The first was to allow time for the Planning Commissioners to receive a copy of the traffic study and have time to review it and second, there were changes made to the Site Review Plan. Some of those changes include the number of units being reduced from 854 to 807; the towers being reduced in height from 336 feet to 295 feet; and the number of parking spaces changing from 1,425 spaces to 1,240.

PLANNING COMMISSION MEETING OF NOVEMBER 4, 2004
Planning and Development Department
Item 21 – GPA-5034

MINUTES – Continued:

The clubhouse has been increased in size from 7,000 square feet to 7,800 square feet. The reduction of the towers resulted in the Residential Adjacency Standard being reduced to 885 feet and the project meets that requirement. Since the Site Plan has been revised, the towers will be 660 feet from the west property line, 660 feet from the north property line and 205 feet from the R-PD 11 to the north. There is an existing apartment complex between the towers and the single-family residences to the west. Property to the north of the site is designated “M”, the area to the south is the Medical District and areas to the east are designated Industrial. Staff believed this project would provide an appropriate transition from the Industrial areas to the east, transitioning to the single-family projects as referenced.

MR. CLAPSADDLE stated the project proposes three, 27-story towers, 12 townhouse units and 3,000 square feet allocated for a retail component. The retail portion of the application is not part of the General Plan Amendment because that area is properly zoned for the proposed use. Staff will require elevations of the proposed retail building.

DAVID LeGRAND, Hale Lane, 2300 West Sahara Avenue, Suite 800, appeared on behalf of the applicant. He reiterated MR. CLAPSADDLE’S comments by saying there were extensive revisions made to the Site Plan to address concerns, which primarily related to traffic. The revised plan shows a right turn lane from Martin Luther King Boulevard to Alta Drive as well as the bus turn-in and the right lane turn-in from Alta Drive and Martin Luther King Boulevard. To address concerns, the height of the buildings was reduced. He pointed out that contrary to staff’s report, the number of units is unchanged and will remain at 854 units. Restricting the penthouse units to the top floor of each building accommodated the change.

MR. LeGRAND stated revisions were made to the planting materials as staff had deemed some of the landscaping product inappropriate for the desert climate. The revised landscaping would be less water intensive. Project Neon was considered when planning the landscaping because that development will significantly affect the traffic patterns in the area. Also, several designs have been added depicting the parking lot design configuration because staff had made comments that more design detail was needed.

MR. LeGRAND referenced Condition 5 on Item 22 [ZON-4941], and asked that the following language be added, “That not more than five feet of dedicated right-of-way for the bus turn out on Alta Drive may be located with the 35-foot setback.” And that Condition 7 of Item 24 [SDR-5155] be amended to read, “The applicant shall construct a multi-use trail along the Martin Luther King Boulevard frontage, in compliance with the transportation trails element of the General Plan. The multi-use trails on Alta Drive and Martin Luther King Boulevard may be

PLANNING COMMISSION MEETING OF NOVEMBER 4, 2004
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Item 21 – GPA-5034

MINUTES – Continued:

located within the 35-foot setback. No other sidewalk shall be required.” He explained the purpose is to make the entire site contain the multi-use trail with two, five-foot buffers within the setback. The result would eliminate the typical five-foot sidewalk along the street. The applicant felt this would be more appropriate because of the high rate and volume of traffic along Martin Luther King Boulevard and Alta Drive. MR. LeGRAND stated that landscaping the trails would create a more aesthetically pleasing appearance for this gateway to the neighborhood.

MR. LeGRAND also stated that after discussion with the Public Works Department, it has been agreed that the applicant would proceed with the City for an Oversized Sewer Agreement with respect to the Clark Street Improvements. He said the agreement is not conditioned, but rather, a comment for the record.

FRANK PERONE, 120 Shadow Lane, submitted twelve protest petitions to the City Clerk. He has lived in this area for 17 years. He informed the Commission that Signature Homes is in the process of building 144 single-family dwellings and, just east of that site, a 77-unit, single-family development. Those two projects in addition to this proposed project would result in unmanageable traffic and would overload the local school, Wasden Elementary. COUNCILMAN LAWRENCE WEEKLY recently walked with approximately 50 family members and students from the two apartment complexes located at 98 and 100 Martin Luther King Boulevard to the school in an effort to show the vital need for school busses in the area. MR. PERONE felt that the Councilman would only be making the school situation worsen if he allowed this item to be approved.

MR. PERONE stated that at the neighborhood meeting held during the previous month, an applicant representative told the neighbors that they should support this project because if it was approved, the community, Rancho Manor, would receive 4.3 million dollars. The residents found out that was not true and MR. PERONE wished that gentleman was present at the meeting to justify his comments.

DANIEL DEEGAN, 1801 Granite Avenue, pointed out that there had been no consultation with the neighborhood association or the general public regarding this project. There was a mandatory public meeting; however, the applicant only showed renderings of the project and had no desire to sit down with the neighbors to discuss any aspect of the project. MR. DEEGAN also found the Planning staff and Office of Business Development staff to be unwilling to discuss the project. In his opinion, the neighbors have been completely excluded from any negotiations regarding this proposal. MR. PERONE said neighborhood association asked that he put some of the concerns in writing and he had forwarded a copy of that letter to each of the Commissioners.

PLANNING COMMISSION MEETING OF NOVEMBER 4, 2004
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MINUTES – Continued:

MR. DEEGAN wanted to emphasize that developers are coming into Las Vegas from other states as well as other countries. He was happy about the development boom in Las Vegas but was concerned about what would happen once these out-of-town developers are finished with the construction and sales aspects of the developments and they go home. The residents of Las Vegas will be left with what was built for years and years to come. MR. DEEGAN showed a photo of some dilapidated housing located in St. Louis. He worried that this project could be destined for the same fate. He asked that experimental buildings not be placed in their neighborhood and that numbers generated by generic traffic studies not be applied to Las Vegas.

MR. DEEGAN suggested that high-rise developments are successful because of the surrounding shops, boutiques and restaurants. The Commission has been approving these buildings in the downtown area and they may work there because there is foot traffic; however, this project is going to be surrounded by walls and a super-arterial highway that would only isolate it. People would not walk to work or to the premium mall in the area.

LEE WINEMILLER, 1808 Collins Avenue, stated he has lived at this address for 10 years and felt this project would be bad for the neighborhood and that the infrastructure could not handle the project.

EDITH WILLIAMSON, 501 Shadow Lane, explained she did not think enough study was given to the impact a project of this magnitude could have on the neighborhood. She disagreed that the traffic exiting the project would head east because the only store in the area is to the west, on Rancho Road. The only hospital is on Shadow Lane and the only grade school is at Rancho Road and Palomino. The nearest Jr. High is at Charleston Boulevard and Valley View Drive. There is no high school in the area at all. She felt it was safe to assume that a project this large would have some children living in it.

She also questioned the comments made by MR. LeGRAND regarding the elimination of sidewalks. MS. WILLIAMSON stated that there is a lot of foot traffic in the area as well as a bus stop and she was concerned about where those people would walk. There was a similar problem on the northeast corner of Shadow Lane and Alta Drive when an apartment complex was built. There was no light for the people who lived in the apartments to get across the street to the bus stop. They would run across the street in any area trying to get to the busses. With 800 more cars in the area, the problem would only worsen.

DENISE WINEMILLER 1808 Collins Avenue, stated she has lived in Las Vegas for 21 years and in her home for 15 years. The neighborhood was quiet and there were no dwellings over two stories tall. She agreed with previous comments made by COMMISSIONER STEINMAN that building this project at this location would be placing a mountain next to the homes.

PLANNING COMMISSION MEETING OF NOVEMBER 4, 2004
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MINUTES – Continued:

MS. WINEMILLER also reminded everyone that at the previous Planning Commission meeting, COMMISSIONER DAVENPORT had stated the project would have a huge impact on traffic. She concurred and said that she felt like the item had already been approved. She questioned how this area of town could possibly be considered part of the down town district.

MR. LeGRAND clarified for MS. WILLIAMSON that he did not say there would not be any sidewalks. The proposal includes a 10-foot wide sidewalk on the entire site and that measurement is double the typical sized sidewalk. He apologized for the confusion. He explained that an extensive traffic study has been done and there have been significant discussions with staff regarding traffic. The applicant feels the Site Plan would effectively mitigate the impact of the traffic that would result from this site. He added that the studies submitted are conservative and most likely overestimates the traffic that could be generated.

MR. LeGRAND showed an illustration reflecting the existing traffic with the proposed additional traffic from this site. At peak times, the increase is approximately 5 to 6 percent over the volume that currently exists today. He also said that this project would not have occupancy until approximately April of 2007 and Project Neon will be underway by that time. Project Neon should be completed by the time the final phase of this project would be occupied, which is slated for midyear 2009.

He also noted the Martin Luther King Boulevard relocation would have to be completed before the I-15 widening can be started. The applicant is dedicating real property with a current market value of approximately \$500,000 to accommodate the traffic concerns relating to this site. The dedicated property would allow for a right-turn lane from Martin Luther King Boulevard to Alta Drive; a turn-in into the property from Alta Drive and a bus turn-in from Alta Drive as well. MR. LeGRAND believes these efforts prove the developer's concern about the proper development of this site.

He concluded by saying, from a Planning/Urban use perspective, this project is the most appropriate use for this site with the constraints and considerations of both the City and the community.

COMMISSIONER GOYNES wanted to hear from the traffic engineer on the project and the effect of traffic on the intersection.

BRAD COOK, Stantec Consulting, 7251 Charleston Boulevard, appeared and indicated the Traffic Study was completed. The project would have the most impact during the afternoon rush hour period. During that time of day, the project would generate approximately 376 additional

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MINUTES – Continued:

trips. The commercial units within the site would absorb six of those trips. By providing the property dedications to allow the dual left-turn lanes on Martin Luther King Boulevard, three through-lanes, a separate right turn lane on Martin Luther King Boulevard, two left turn lanes on Alta Drive, three through-lanes on Alta Drive and the right turn lane into the site combined with a bus bay would properly mitigate the traffic in the area. This means that even with the addition of the traffic this project would generate, the mitigation efforts would bring the traffic level back to what it is now. It would be as if no cars were generated from the development at all. The improvements slated for Martin Luther King Boulevard and Alta Drive will result in each street being a six-lane roadway. That, along with the proposed mitigation efforts would bring the rating of the intersection to a level of “D”, which is considered an acceptable level.

COMMISSIONER GOYNES felt the assumption of the neighbors is that with an 854-unit development, there will be 854 cars. He asked MR. COOK to clarify whether or not that would be the impact. MR. COOK said the expected number of trip rates for this project is 370 new trips on the roadway. He pointed out that the estimates did not include any numbers that could alter that calculation such as individuals who may walk to work or take public transportation. He estimated that it is probable that people would walk to work because this site is so close to the Government Center and the downtown area but they did not include any reductions in the total number of trips because of that data.

COMMISSIONER GOYNES then asked if the synchronization of the traffic lights would assist in the mitigation efforts. MR. COOK confirmed that it played an enormous role in the overall mitigation. Once the improvements are in place, the lights would have to be re-synchronized to maximize the amount of coordination of traffic in this area. If the lights are timed properly and there is correct coordination, the traffic should be accommodated effectively. He pointed out that during the morning periods, the majority of traffic would be heading east to work in the downtown strip area or perhaps down Martin Luther King Boulevard to get to the I-15 Freeway. The opposite would occur in the afternoon peak period. This pattern does reflect what is currently occurring at this time.

COMMISSIONER GOYNES commented on the neighbors concerns regarding this development's impact on the local schools. He felt it was unfair to ask a developer to halt development because more children would lock up the school in the area. He felt that it was the responsibility of the public to go to the School District meetings and voice concerns there just as they are doing at the Planning Commission meeting. Perhaps the Wasden Elementary school needs to be redesigned to accommodate a two-story structure. COMMISSIONER GOYNES stated he like the project and would support it.

PLANNING COMMISSION MEETING OF NOVEMBER 4, 2004
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MINUTES – Continued:

Referencing a letter from MR. DEEGAN, COMMISSIONER GOYNES wanted to address a few comments. He mentioned the traffic flow on Alta Drive and that it would go mostly west. The truth is, that remains unknown at this time. The street goes east and west and in the Commissioner's opinion, people could go either way they wish. It is impossible to say that all 854 people who live in this proposed development would commute out of this complex by heading west up Alta Drive. He also wanted to discuss MR. DEEGAN'S remarks about the 854 housing units in this development totaling more than all of the single-family homes in the area combined. COMMISSIONER GOYNES said that the difference is this project is vertical. It is going to be a high-rise complex. Also, MR. DEEGAN'S letter indicated that people leaving a high-rise development would want to exit their lobbies into an area with vibrant street life, boutiques, restaurants, and other amenities of urban life. COMMISSIONER GOYNES stated that trying to create that type of area is one of the goals of allowing the vertical products. The urban core would evolve but there must be a starting point. This project could be that starting point.

COMMISSIONER GOYNES felt that in lieu of the commercial products that could go in on this corner, this product is compatible with the area. He suggested that if the site were proposed to be a large store with fast food pads and related smaller shops, a lot more people in the community would be opposed to it.

He thanked the applicant for bringing back the Traffic Study and he reminded everyone that the traffic studies are forecasts. The developer has planned out the traffic mitigation. One neighbor had suggested the item is already approved and he clarified that it is not approved. It would not be approved until action is taken. He clarified that there is a recommendation of approval from staff but that recommendation does not automatically result in approval.

COMMISSIONER McSWAIN was concerned about some of the representations of the residents who spoke in opposition of the project and asked MR. LeGRAND to elaborate about any issues he experienced with trying to work with neighbors. MR. LeGRAND stated that notices were mailed out to individuals in an area that was almost twice the size of the required area. This was done to assure that the neighbors were aware of the project. COMMISSIONER McSWAIN confirmed with MR. LeGRAND that the notification he referenced was not in addition to the City's notification but was an enhancement to the City's notification. He continued by saying that representatives of the applicant voluntarily attended a neighborhood meeting on October 12, 2004, and presented the information that was available at that time in regard to the traffic analysis and site plan. He said it was obvious that the neighbors had no interest in looking at the project in an objective fashion. Concerns were raised that the project would house drug dealers, crime would rise, Alta Drive and Rancho Road traffic would be worsened etc. It did not seem to

PLANNING COMMISSION MEETING OF NOVEMBER 4, 2004
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MINUTES – Continued:

MR. LeGRAND that it would be possible to reach an understanding with the residents. The applicant has tried to minimize the impact as much as possible.

COMMISSIONER McSWAIN appreciated his comments and stated she tried to look at it from the neighbor's point of view. She referenced MR. DEEGAN'S letter and said she had also received it and read it. She acknowledged the concern regarding Section 8 housing and stated that in her opinion, the project looked like a very high quality product and she did not think it would deteriorate. MR. LeGRAND pointed out that a study was done regarding the resale value of the homes in the area. The average sale price of homes in the area is in the \$100 to \$120 per square foot range. The proposed condominium units would start in the low \$300 per square foot range. He was challenged by any proposition that this project was in some way inferior housing when compared to the neighborhood. There will be more value in this single project than the entire value of the neighborhood. The applicant felt this project would enhance the values in the area. MR. LeGRAND also said that this property is currently a vacant lot and in building this development, the area would be cleaned up.

COMMISSIONER McSWAIN stated that she had reviewed the Medical District Neighborhood Plan that was developed two years prior and she did not notice that a lot of growth had taken place in the area since the original date of the study, which was 1980. The percentage of increase in each ten-year review increment was minimal. New development does help to create vibrancy. She recollected that during discussions regarding the Medical District Plan, there was conversation about the need for residential in the urban core. She acknowledged that this area is not considered downtown in the sense that it is literally on Las Vegas Boulevard. However, with the hospitals and medical facilities, this area was incorporated into the downtown area defined in the study and there was not a lot of opposition that she could recall. Vertical development was determined to be a benefit to this area at that time.

She wanted to address a question in MR. DEEGAN'S letter which asked "How big does a project have to be to merit consideration in context and in terms of how it affects its neighbors and how will it be affected by its neighbors?" COMMISSIONER McSWAIN stated that to her, even though this is a high-rise proposal, it does involve down zoning the site. The biggest issue discussed is traffic. She felt that a commercial product in this area would be much more detrimental from a traffic standpoint than this project. This development could help to start a new era in this neighborhood. It could help to create a vibrancy and urban core that has been discussed at length in the past. She was supportive of the project and wished the applicant luck.

PLANNING COMMISSION MEETING OF NOVEMBER 4, 2004
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Item 21 – GPA-5034

MINUTES – Continued:

COMMISSIONER DAVENPORT stated that, initially, he was very concerned about the traffic in the area. He thanked the applicant for taking the time to meet with him to discuss the traffic issues and plans for mitigation. During that time, he came to understand the completion date would most likely be in 2009 and by that time, Project Neon would be completed. Martin Luther King Boulevard would go up and over the I-15 freeway and would connect to Industrial Road. Anyone going to work at the Strip would take that route. To go downtown, Alta Drive would be taken the other way and by that time, would be a six-lane road. He felt the traffic flow would most likely, be headed east and south. At night, the traffic would stop at that point, which is before Alta Drive and Rancho Road where the gridlock begins.

COMMISSIONER DAVENPORT said that he did receive and read MR. DEEGAN'S letter. He indicated that he did try to contact MR. DEEGAN; however, the line was busy. He apologized for not making contact. The Commissioner informed all present that this lot had previously been under option by Home Depot. Also, at one time, a mental health hospital was a possible tenant in this location. Either one of those facilities would have resulted in more traffic than that which is proposed by this development. After meeting with the applicant and looking at the Traffic Study and the Neon report from the Nevada Department of Transportation (NDOT), he was more comfortable with the project.

The Commissioner did question MR. LeGRAND about an island they had discussed that would be located on Alta Drive and would prohibit left turns into or out of the development. MR. LeGRAND explained that analysis done regarding that island showed the traffic would back up on Alta Drive if the island were installed. Once the six lanes on Alta Drive are completed, it is likely that the dual turn lane median would extend west, past the site access. This would effectively block traffic from turning left into or out of the site. COMMISSIONER DAVENPORT suggested limiting the left turns with the island until the median is constructed. MR. LeGRAND said if a splitter island were required to actively prohibit left turns until the median is in place, the request would be taken into consideration. The Commissioner stated that that was his one concern that remained after meeting. DAVID GUERRA, Department of Public Works, clarified that during the plans check process, the developer would have to submit plans and provide bonds to guarantee the completion of work. After that, the construction begins but before the homes can be sold, occupancy permits need to be signed by City officials. If the project is not built to plan and the plan reflects the medians, they would not receive occupancy permits. That information satisfied COMMISSIONER DAVENPORT'S concern.

COMMISSIONER STEINMAN stated that he felt the traffic would come out onto Martin Luther King Boulevard. That would give people the right to go north or south and then head to their work areas. He was concerned about the requirement of a bus turn out just prior to the right turn

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MINUTES – Continued:

into the project. He did not understand why the City would require cars to stack behind a stopped bus to access the right turn lane. MR. GUERRA explained that having a bus stop such as what is proposed is acceptable because busses are not going to be there very often during the day. COMMISSIONER STEINMAN confirmed with MR. GUERRA that staff does not want to allow the bus stop to be beyond the entrance because that would take it too far away from the intersection. When people riding the bus have to transfer from one bus to the next, the increased distance makes it difficult to do so. Also, if the bus stop is too far from the intersection, people tend to jaywalk to try to catch the bus instead of going to the light where there is a crosswalk.

COMMISSIONER STEINMAN then asked for staff's opinion about MR. LeGRAND'S request to amend Condition 7 of Item 22 [ZON-4941]. He stated the Clark Street sewer line is approximately a mile away and confirmed that the sewer does not need upsizing for this proposed development alone but also to accommodate the 61-acre parcel, which will eventually be developed. He asked why the responsibility for construction of the sewer upsizing is placed solely on this developer. MR. GUERRA clarified that the conditions states that if the developer wants to build and occupy the proposed development prior to the City's construction on the sewer system, the developer would have to be responsible for that work because the sewer infrastructure would be at capacity.

COMMISSIONER STEINMAN asked if the furniture mart located between the subject site and Clark Avenue was involved in the need for over sizing. MR. GUERRA replied that the promise of servicing that furniture mart along with the IRS building up the street would bring the sewer system to capacity. The City does intend to improve this line. It has been included as a portion of the project called the Bonneville/Clark Couplet. The project is very large and there is much more to it than the improvement of this line. There is no definite completion date on that project at this time. If the developer of this proposed development would like to begin construction before the City does the sewer improvements, the developer would have to do the necessary work on the sewer.

He also pointed out that the applicant did mention an Extension and Over Sizing Agreement. If the City Engineer chooses to enter into that agreement with the applicant, it would provide for the applicant to be reimbursed by the City after the improvements are constructed. MR. GUERRA was unable to give more detail at this time. COMMISSIONER STEINMAN did not require further clarification. He had been concerned the sewer work would be entirely at the expense of this developer and because other developments would benefit from that work, he did not feel the developer should be solely responsible. MR. GUERRA did not want to impose a condition that would encumber the City or require an agreement that may or may not occur.

PLANNING COMMISSION MEETING OF NOVEMBER 4, 2004
Planning and Development Department
Item 21 – GPA-5034

MINUTES – Continued:

COMMISSIONER STEINMAN stated that he did have issue with the lack of traffic related information that was provided at the onset of the application process. Being the newest member of the Commission, he was unaware of exactly what Project Neon encompassed. He stated that he now knows more about Project Neon and he believed that once completed, Project Neon would help the entire area with the existing traffic issues. COMMISSIONER STEINMAN asked if the information given by MR. LeGRAND regarding dates of bidding, commencement and completion of work on Project Neon were accurate. MR. GUERRA stated they are correct but they are projected dates. He pointed out that at the City Council meeting of November 18, 2004, there were movements made that would begin the process of acquiring rights-of-way that are necessary for Project Neon in this area.

COMMISSIONER EVANS referenced comments made by the applicant stating there was a voluntary public meeting. Since the item was a General Plan Amendment, a public meeting is a requirement. He expressed his wish that the application process include a way to build partnerships, especially with projects of this significance. The Commissioner felt that the issues of traffic have been mitigated. He acknowledged that change is difficult. The project is very nice and he thought the project would ultimately enhance the area as the Turnberry project, Regency Towers and Park Towers.

COMMISSIONER EVANS said that when he lived in Washington D.C., there were concerns when the Watergate and Kennedy Center buildings were proposed. They were mid-rise components in quiet residential areas. The Watergate building is now a vibrant feature in the neighborhood and it has brought new life to that area of the city. He would be supportive of this item and hoped the neighborhood would one day embrace this project.

CHAIRMAN TRUESDELL suggested that MR. LeGRAND meet, prior to City Council, with any members of the audience that may still have questions and want to discuss concerns with the developer. That would help to begin building a partnership with the community. He confirmed with MR. LeGRAND that this is a “for sale” product, not to be rented. MR. LeGRAND said the intent was for people to live and work in the area. That is why the applicant has worked so hard to get the price points reasonably affordable compared to some other local projects. CHAIRMAN TRUESDELL clarified that the photo MR. DEEGAN displayed was a development referred to as Hell’s Kitchen in St. Louis. That building was designed as low income housing from the onset. The fact that this product is a “for sale” product proves a significant commitment to insuring the quality of the development will be maintained.

PLANNING COMMISSION MEETING OF NOVEMBER 4, 2004
Planning and Development Department
Item 21 – GPA-5034

MINUTES – Continued:

CHAIRMAN TRUESDELL stated he did not have a problem with this project. He just wanted to be sure the pertinent information is provided to the neighbors so a good decision can be made. Serious questions are associated with high-rise developments, and they have to be asked and as they begin to develop. The Commission and staff will continue to be diligent in addressing those concerns.

COMMISSIONER GOYNES asked DEPUTY CITY ATTORNEY BRYAN SCOTT if there was some way to impose a condition that would prohibit the property from becoming some form of low income housing in the future. DEPUTY CITY ATTORNEY SCOTT said that the market would dictate a situation such as that and he was unsure of how that could be accomplished with a condition.

CHAIRMAN TRUESDELL declared the Public Hearing open on Item 21 [GPA-5034], Item 22 [ZON-4941], Item 23 [VAR-5035] and Item 24 [SDR-5155].

(6:23 – 7:30)

1-619

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: NOVEMBER 4, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

ABEYANCE - ZON-4941 - REZONING RELATED TO GPA-5034 - PUBLIC HEARING - APPLICANT: AMBLINE MULTI-FAMILY DEVELOPMENT - OWNER: ALTA MLK, LLC - Request for a Rezoning FROM: C-1 (LIMITED COMMERCIAL) TO: R-PD50 (RESIDENTIAL PLANNED DEVELOPMENT – 50 UNITS PER ACRE) on 16.78 acres north of Alta Drive and west of Martin L. King Boulevard (APN 139-33-202-005), Ward 5 (Weekly).

C.C. 11/17/04

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

12

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

GOYNES – APPROVED subject to conditions and amending the following conditions:

5. Dedicate an additional 20 feet of right-of-way adjacent to this site for Alta Drive and Martin L. King Boulevard concurrent with development of this site.

and adding the following conditions:

- *Dedicate additional rights-of-way in accordance with Clark County Area Standard Drawings #201.1 for right and left turn lanes at the intersection of Alta Drive and Martin L. King Boulevard adjacent to this site. Construction of improvements on these rights-of-way is required concurrent with construction of this project unless otherwise directed by the City Engineer.*
- *Dedicate additional rights-of-way in accordance with Clark County Area Standard Drawings #234.1 or 234.3 on Alta Drive west of Martin L. King Boulevard adjacent to this site. Construction of improvements is required concurrent with construction of this project unless otherwise directed by the City Engineer. Right-of-way or easements in accordance with Clark County Standard Drawing #234.2 is required if requested by the Regional Transportation Commission.*

– **UNANIMOUS** with NIGRO abstaining because he owns property in the notification boundary

PLANNING COMMISSION MEETING OF NOVEMBER 4, 2004
Planning and Development Department
Item 22 – ZON-4941

MOTION – Continued:

To be heard by the City Council on 11/17/2004

MINUTES:

See Item 21 [GPA-5034] for all related discussion for Item 21 [GPA-5034], Item 22 [ZON-4941], Item 23 [VAR-5035] and Item 24 [SDR-5155].

(6:23 – 7:30)

1-619

CONDITIONS:

Planning and Development

1. A General Plan Amendment (GPA-5034) to a High Density Residential land use designation approved by the City Council.
2. A Resolution of Intent with a two-year time limit.
3. A Site Development Plan Review (SDR-5155) application approved by the Planning Commission and City Council prior to issuance of any permits, any site grading, and all development activity for the site.

Public Works

4. Coordinate the location and right-of-way requirements for the Martin L. King Boulevard flyover project with the Nevada Department of Transportation (N.D.O.T.) prior to the issuance of any permits or the submittal of a Tentative Map for this site, whichever may occur first.
5. Dedicate an additional 20 feet of right-of-way adjacent to this site for Alta Drive and Martin L. King Boulevard concurrent with development of this site. Also dedicate the appropriate right-of-way required for a bus turnout/deceleration lane on Alta Drive and rights-of-way per standard drawing 201.1 for the intersection of Martin L. King Boulevard and Alta Drive unless specifically noted as not required by the Traffic Impact Analysis.
6. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards. Construct all incomplete half-street improvements on Alta Drive and Martin L. King Boulevard adjacent to this site concurrent with development of this site.

PLANNING COMMISSION MEETING OF NOVEMBER 4, 2004
Planning and Development Department
Item 22 – ZON-4941

CONDITIONS – Continued:

7. If not already constructed at time of development, construct the oversized Clark Avenue sewer main from Las Vegas Boulevard to 14th Street. Coordinate with the Collection Systems Planning Section of Public Works to determine appropriate public sewer paths to service this site prior to the submittal of any sewer-related construction drawings. The offsite public sewer improvements will be required to provide capacity for this project.
8. Extend all required underground utilities, such as electrical, telephone, etc., located within public rights-of-way, past the boundaries of this site prior to construction of hard surfacing (asphalt or concrete).
9. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. If additional rights-of-way are not required and Traffic Control devices are or may be proposed at this site outside of the public right-of-way, all necessary easements for the location and/or access of such devices shall be granted prior to the issuance of permits for this site. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.
10. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole

PLANNING COMMISSION MEETING OF NOVEMBER 4, 2004
Planning and Development Department
Item 22 – ZON-4941

CONDITIONS – Continued:

or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.

11. Landscape and maintain all unimproved rights-of-way on Alta Drive and Martin L. King Boulevard adjacent to this site.
12. Submit an application for an Occupancy Permit for all landscaping and private improvements in the Martin L. King Boulevard public right-of-way adjacent to this site prior to the issuance of any permits. Submit an Encroachment Agreement for all landscaping and private improvements located in the Alta Drive public right-of-way adjacent to this site prior to issuance of any permits for this site.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: NOVEMBER 4, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

ABEYANCE - VAR-5035 - VARIANCE RELATED TO GPA-5034, AND ZON-4941 - PUBLIC HEARING - APPLICANT: AMBLINE MULTI-FAMILY DEVELOPMENT - OWNER: ALTA MLK, LLC - Request for a Variance TO ALLOW A 20 FOOT SETBACK WHERE 1,212 FEET IS REQUIRED on 16.78 acres north of Alta Drive and west Martin L. King Boulevard (APN 139-33-202-005), C-1 (Limited Commercial) Zone [PROPOSED: R-PD50 (Residential Planned Development – 50 Units Per Acre)], Ward 5 (Weekly).

C.C. 11/17/04

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

12

APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

GOYNES – APPROVED subject to conditions – UNANIMOUS with NIGRO abstaining because he owns property in the notification boundary

To be heard by the City Council on 11/17/2004

MINUTES:

See Item 21 [GPA-5034] for all related discussion for Item 21 [GPA-5034], Item 22 [ZON-4941], Item 23 [VAR-5035] and Item 24 [SDR-5155].

(6:23 – 7:30)

1-619

PLANNING COMMISSION MEETING OF NOVEMBER 4, 2004
Planning and Development Department
Item 23 – VAR-5035

CONDITIONS:

Planning and Development

1. Conformance with all conditions of approval of General Plan Amendment GPA-5034, Rezoning ZON-4941, and Site Plan Review SDR-5155 approved by the City Council.
2. This Variance shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
3. The applicant shall acquire all necessary permits from the Department of Building and Safety.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: NOVEMBER 4, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

ABEYANCE - SDR-5155 - SITE DEVELOPMENT PLAN REVIEW RELATED TO GPA-5034, ZON-4941, AND VAR-5035 - PUBLIC HEARING - APPLICANT: AMBLINE MULTI-FAMILY DEVELOPMENT - OWNER: ALTA MLK, LLC - Request for a Site Development Plan FOR A PROPOSED 21 STORY, 840 UNIT CONDOMINIUM DEVELOPMENT IN THREE BUILDINGS on 16.78 acres north of Alta Drive and west of Martin L. King Boulevard (APN 139-33-202-005), C-1 (Limited Commercial) Zone [PROPOSED: R-PD50 (Residential Planned Development – 50 Units Per Acre)], Ward 5 (Weekly).

C.C. 11/17/04

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

1

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

GOYNES – APPROVED subject to conditions and amending the following conditions:

3. All development shall be in conformance with the site plan and building elevations, *depicting three 27-story buildings, and a maximum of 854 units, date stamped November 1, 2004*, except as amended by conditions herein.
7. The applicant shall be required to develop a Multi-Use Transportation Trail along the Alta Drive frontage in compliance with the Transportation Trails Element of the General Plan. *The trail may be located within the perimeter buffer area, provided that five-foot landscape amenity zones are located on both sides of the trail in accordance with the Transportation Trails Element of the Las Vegas 2020 Master Plan.*
 - **UNANIMOUS** with NIGRO abstaining because he owns property in the notification boundary

To be heard by the City Council on 11/17/2004

PLANNING COMMISSION MEETING OF NOVEMBER 4, 2004
Planning and Development Department
Item 24 – SDR-5155

MINUTES:

See Item 21 [GPA-5034] for all related discussion for Item 21 [GPA-5034], Item 22 [ZON-4941], Item 23 [VAR-5035] and Item 24 [SDR-5155].

(6:23 – 7:30)

1-619

CONDITIONS:

Planning and Development

1. Conformance with all conditions of approval of General Plan Amendment GPA-5034, Rezoning ZON-4941, and Variance VAR-5035 approved by the City Council.
2. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
3. All development shall be in conformance with the site plan and building elevations, date stamped September 3, 2004, except as amended by conditions herein.
4. The applicant shall submit a Variance application for approval by City Council, in order to permit a reduction in the Open Space requirement listed in Title 19.06.040(G), prior to the issuance of building permits.
5. The applicant shall submit plans and elevations for the proposed retail structure on the south side of the site adjacent to Alta Drive for administrative review and approval by Planning staff prior to the issuance of a building permit.
6. The elevations of the parking structures shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, with additional architectural features to enhance façade articulation and compatibility with the residential structures.
7. The applicant shall be required to develop a Multi-Use Transportation Trail along the Alta Drive frontage in compliance with the Transportation Trails Element of the General Plan.
8. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development. Prior to the issuance of building permits, a revised landscape plan must be submitted to and approved by the Department of Planning and Development showing a maximum of 15% of the total landscaped area as turf.

PLANNING COMMISSION MEETING OF NOVEMBER 4, 2004
Planning and Development Department
Item 24 – SDR-5155

CONDITIONS – Continued:

9. Landscaping and a permanent underground sprinkler system for the landscape materials shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner. Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.
10. Prior to the submittal of a building permit, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.
11. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets. All trash enclosures shall have walls and a roof in accordance with the requirements of Title 19.08.045.
12. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.
13. Any new utility or power service line provided to the parcel shall be placed underground from the property line to the point of on-site connection or on-site service panel location.
14. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Municipal Code Section 19.12.050.
15. Signage for the development shall be permitted in conformance with the requirements of Title 19.14.
16. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

17. A Homeowner's Association shall be established to maintain all perimeter walls, private roadways, landscaping and common areas created with this development. All landscaping shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.

PLANNING COMMISSION MEETING OF NOVEMBER 4, 2004
Planning and Development Department
Item 24 – SDR-5155

CONDITIONS – Continued:

18. Gated access drives shall be designed, located and constructed in accordance with Standard Drawing #222A.
19. The final layout of the subdivision shall be determined at the time of approval of the Tentative Map.
20. Site development to comply with all applicable conditions of approval for ZON-4941 and all other subsequent site-related actions.
21. The approval of all Public Works related improvements shown on this Site Development Plan Review is in concept only. Specific design and construction details relating to size, type and/or alignment of improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to submittal of a Tentative Map or construction drawings, whichever may occur first. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the submittal of a Tentative Map or construction drawings, whichever may occur first.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: NOVEMBER 4, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

ABEYANCE - MSP-4622 - MASTER SIGN PLAN - PUBLIC HEARING -
APPLICANT: AUTO NATION – OWNER: JRJ PROPERTIES AND JOHN K.
BIEGGER - Request for a Master Sign Plan FOR TWO EXISTING AUTO DEALERSHIPS
on 9.39 acres at 5050 West Sahara Avenue (APN: 163-01-803-003, 004 and 005), C-2 (General
Commercial) Zone, Ward 1 (Moncrief).

**APPLICANT REQUESTS THIS ITEM BE HELD IN ABEYANCE TO THE 12/02/04 PC
MEETING**

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends ABEYANCE

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

**NIGRO – Motion to bring forward and HOLD IN ABEYANCE Item 4 [TMP-5290] and
Item 19 [VAC-5265] to 11/18/2004 Planning Commission meeting, Item 28 [GPA-5102],
Item 29 [VAR-5113], Item 30 [ZON-5106], Item 31 [VAR-5110], Item 32 [WVR-5294], Item
33 [SDR-5108] and Item 59 [VAR-5227] to 12/02/2004 Planning Commission meeting, Item
38 [VAR-5099], Item 39 [ZON-5092], Item 40 [VAR-5300], Item 41 [WVR-5299], Item 42
[SDR-5098], Item 43 [SUP-5096] and Item 44 [SDR-5093] to 1/13/2005 Planning
Commission meeting, to TABLE Item 25 [MSP-4622], Item 26 [SUP-5112] and Item 27
[SDR-5116] and to accept the request to WITHDRAW WITHOUT PREJUDICE Item 61
[VAR-5298] – UNANIMOUS with McSWAIN abstaining on Item 19 [VAC-5265] because
her company is bidding on work with DR Horton and on Item 4 [TMP-5290] and Item 61
[VAR-5298] because her company is under contract with each of the applicants (see Note
below)**

PLANNING COMMISSION MEETING OF NOVEMBER 4, 2004
Planning and Development Department
Item 25 – MSP-4622

MOTION – Continued:

NOTE: CHAIRMAN TRUESDELL disclosed that he does own property in the downtown area; however, it is not located within the notification area for Item 26 [SUP-5112] and Item 27 [SDR-5116] so he would be comfortable voting on both items.

NOTE: COMMISSIONER McSWAIN indicated she would abstain on Item 4 [TMP-5290] because her company is currently under contract with the KB Home and Item 61 [VAR-5298] because her company is currently under contract with the Molaskys.

MINUTES:

DAVID CLAPSADDLE, Planning and Development, stated that letters are on file for each of the requests.

(6:07 – 6:12)

1-115

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: NOVEMBER 4, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

ABEYANCE - SUP-5112 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: RAINBOW STUDIOS, LLC - OWNER: 1ST RAINBOW, LLC - Request for a Special Use Permit FOR A PROPOSED 12-STORY MIXED-USE DEVELOPMENT at 116 South 1st Street (APN 139-34-111-040), C-2 (General Commercial) Zone, Ward 1 (Moncrief).

C.C.: 12/01/04 - IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

NIGRO – Motion to bring forward and HOLD IN ABEYANCE Item 4 [TMP-5290] and Item 19 [VAC-5265] to 11/18/2004 Planning Commission meeting, Item 28 [GPA-5102], Item 29 [VAR-5113], Item 30 [ZON-5106], Item 31 [VAR-5110], Item 32 [WVR-5294], Item 33 [SDR-5108] and Item 59 [VAR-5227] to 12/02/2004 Planning Commission meeting, Item 38 [VAR-5099], Item 39 [ZON-5092], Item 40 [VAR-5300], Item 41 [WVR-5299], Item 42 [SDR-5098], Item 43 [SUP-5096] and Item 44 [SDR-5093] to 1/13/2005 Planning Commission meeting, to TABLE Item 25 [MSP-4622], Item 26 [SUP-5112] and Item 27 [SDR-5116] and to accept the request to WITHDRAW WITHOUT PREJUDICE Item 61 [VAR-5298] – UNANIMOUS with McSWAIN abstaining on Item 19 [VAC-5265] because her company is bidding on work with DR Horton and on Item 4 [TMP-5290] and Item 61 [VAR-5298] because her company is under contract with each of the applicants (see Note below)

NOTE: CHAIRMAN TRUESDELL disclosed that he does own property in the downtown area; however, it is not located within the notification area for Item 26 [SUP-5112] and Item 27 [SDR-5116] so he would be comfortable voting on both items.

PLANNING COMMISSION MEETING OF NOVEMBER 4, 2004
Planning and Development Department
Item 26 – SUP-5112

MOTION – Continued:

NOTE: COMMISSIONER McSWAIN indicated she would abstain on Item 4 [TMP-5290] because her company is currently under contract with the KB Home and Item 61 [VAR-5298] because her company is currently under contract with the Molaskys.

MINUTES:

DAVID CLAPSADDLE, Planning and Development, stated that letters are on file for each of the requests.

(6:07 – 6:12)

1-115

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: NOVEMBER 4, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

ABEYANCE - SDR-5116 - SITE DEVELOPMENT PLAN REVIEW RELATED TO SUP-5112 - PUBLIC HEARING - APPLICANT: 1ST RAINBOW, LLC - OWNER: RAINBOW STUDIOS, LLC - Request for a Site Development Plan Review FOR A PROPOSED 12-STORY, 134-FOOT TALL MIXED-USE DEVELOPMENT CONSISTING OF EIGHT RESIDENTIAL UNITS AND 350 SQUARE FEET OF RETAIL SPACE at 116 South 1st Sreet (APN 139-34-111-040), C-2 (General Commercial) Zone, Ward 1 (Moncrief).

C.C. 12/01/04

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

NIGRO – Motion to bring forward and HOLD IN ABEYANCE Item 4 [TMP-5290] and Item 19 [VAC-5265] to 11/18/2004 Planning Commission meeting, Item 28 [GPA-5102], Item 29 [VAR-5113], Item 30 [ZON-5106], Item 31 [VAR-5110], Item 32 [WVR-5294], Item 33 [SDR-5108] and Item 59 [VAR-5227] to 12/02/2004 Planning Commission meeting, Item 38 [VAR-5099], Item 39 [ZON-5092], Item 40 [VAR-5300], Item 41 [WVR-5299], Item 42 [SDR-5098], Item 43 [SUP-5096] and Item 44 [SDR-5093] to 1/13/2005 Planning Commission meeting, to TABLE Item 25 [MSP-4622], Item 26 [SUP-5112] and Item 27 [SDR-5116] and to accept the request to WITHDRAW WITHOUT PREJUDICE Item 61 [VAR-5298] – UNANIMOUS with McSWAIN abstaining on Item 19 [VAC-5265] because her company is bidding on work with DR Horton and on Item 4 [TMP-5290] and Item 61 [VAR-5298] because her company is under contract with each of the applicants (see Note below)

PLANNING COMMISSION MEETING OF NOVEMBER 4, 2004
Planning and Development Department
Item 27 – SDR-5116

MOTION – Continued:

NOTE: CHAIRMAN TRUESDELL disclosed that he does own property in the downtown area; however, it is not located within the notification area for Item 26 [SUP-5112] and Item 27 [SDR-5116] so he would be comfortable voting on both items.

NOTE: COMMISSIONER McSWAIN indicated she would abstain on Item 4 [TMP-5290] because her company is currently under contract with the KB Home and Item 61 [VAR-5298] because her company is currently under contract with the Molaskys.

MINUTES:

DAVID CLAPSADDLE, Planning and Development, stated that letters are on file for each of the requests.

(6:07 – 6:12)

1-115

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: NOVEMBER 4, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

ABEYANCE - GPA-5102 - GENERAL PLAN AMENDMENT - PUBLIC HEARING -
APPLICANT: CHARLESTON LAMB, LLC - OWNER: A F CONSTRUCTION INC. -
 Request to amend a portion of the Southeast Sector Plan of the General Plan FROM: ML (MEDIUM-LOW DENSITY RESIDENTIAL) TO: MLA (MEDIUM-LOW ATTACHED DENSITY RESIDENTIAL) on 3.40 acres adjacent to the north side of Wales Green Lane, approximately 750 feet west of Lamb Boulevard and 350 feet south of Sunrise Avenue (APN 140-31-801-001), Ward 3 (Reese).

C.C. 12/01/04

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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RECOMMENDATION:

Staff recommends DENIAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

NIGRO – Motion to bring forward and HOLD IN ABEYANCE Item 4 [TMP-5290] and Item 19 [VAC-5265] to 11/18/2004 Planning Commission meeting, Item 28 [GPA-5102], Item 29 [VAR-5113], Item 30 [ZON-5106], Item 31 [VAR-5110], Item 32 [WVR-5294], Item 33 [SDR-5108] and Item 59 [VAR-5227] to 12/02/2004 Planning Commission meeting, Item 38 [VAR-5099], Item 39 [ZON-5092], Item 40 [VAR-5300], Item 41 [WVR-5299], Item 42 [SDR-5098], Item 43 [SUP-5096] and Item 44 [SDR-5093] to 1/13/2005 Planning Commission meeting, to TABLE Item 25 [MSP-4622], Item 26 [SUP-5112] and Item 27 [SDR-5116] and to accept the request to WITHDRAW WITHOUT PREJUDICE Item 61 [VAR-5298] – UNANIMOUS with McSWAIN abstaining on Item 19 [VAC-5265] because her company is bidding on work with DR Horton and on Item 4 [TMP-5290] and Item 61 [VAR-5298] because her company is under contract with each of the applicants (see Note below)

PLANNING COMMISSION MEETING OF NOVEMBER 4, 2004
Planning and Development Department
Item 28 – GPA-5102

MOTION – Continued:

NOTE: CHAIRMAN TRUESDELL disclosed that he does own property in the downtown area; however, it is not located within the notification area for Item 26 [SUP-5112] and Item 27 [SDR-5116] so he would be comfortable voting on both items.

NOTE: COMMISSIONER McSWAIN indicated she would abstain on Item 4 [TMP-5290] because her company is currently under contract with the KB Home and Item 61 [VAR-5298] because her company is currently under contract with the Molaskys.

MINUTES:

DAVID CLAPSADDLE, Planning and Development, stated that letters are on file for each of the requests.

(6:07 – 6:12)

1-115

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: NOVEMBER 4, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

VAR-5113 - VARIANCE RELATED TO GPA-5102 - PUBLIC HEARING - APPLICANT: CHARLESTON LAMB, LLC - OWNER: A F CONSTRUCTION INC -
 Request for a Variance TO ALLOW AN R-PD (RESIDENTIAL PLANNED DEVELOPMENT) ZONING DISTRICT ON 3.40 ACRES WHERE FIVE ACRES IS THE MINIMUM REQUIRED north of Wales Green Lane, approximately 750 feet west of Lamb Boulevard and 350 feet south of Sunrise Avenue (APN 140-31-801-001), R-1 (Single-Family Residential) Zone [PROPOSED: R-PD11 (Residential Planned Development - 11 Units per Acre) Zone], Ward 3 (Reese).

C.C. 12/01/04

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends DENIAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

NIGRO – Motion to bring forward and HOLD IN ABEYANCE Item 4 [TMP-5290] and Item 19 [VAC-5265] to 11/18/2004 Planning Commission meeting, Item 28 [GPA-5102], Item 29 [VAR-5113], Item 30 [ZON-5106], Item 31 [VAR-5110], Item 32 [WVR-5294], Item 33 [SDR-5108] and Item 59 [VAR-5227] to 12/02/2004 Planning Commission meeting, Item 38 [VAR-5099], Item 39 [ZON-5092], Item 40 [VAR-5300], Item 41 [WVR-5299], Item 42 [SDR-5098], Item 43 [SUP-5096] and Item 44 [SDR-5093] to 1/13/2005 Planning Commission meeting, to TABLE Item 25 [MSP-4622], Item 26 [SUP-5112] and Item 27 [SDR-5116] and to accept the request to WITHDRAW WITHOUT PREJUDICE Item 61 [VAR-5298] – UNANIMOUS with McSWAIN abstaining on Item 19 [VAC-5265] because her company is bidding on work with DR Horton and on Item 4 [TMP-5290] and Item 61 [VAR-5298] because her company is under contract with each of the applicants (see Note below)

PLANNING COMMISSION MEETING OF NOVEMBER 4, 2004
Planning and Development Department
Item 29 – VAR-5113

MOTION – Continued:

NOTE: CHAIRMAN TRUESDELL disclosed that he does own property in the downtown area; however, it is not located within the notification area for Item 26 [SUP-5112] and Item 27 [SDR-5116] so he would be comfortable voting on both items.

NOTE: COMMISSIONER McSWAIN indicated she would abstain on Item 4 [TMP-5290] because her company is currently under contract with the KB Home and Item 61 [VAR-5298] because her company is currently under contract with the Molaskys.

MINUTES:

DAVID CLAPSADDLE, Planning and Development, stated that letters are on file for each of the requests.

(6:07 – 6:12)

1-115

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: NOVEMBER 4, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

ZON-5106 - REZONING RELATED TO GPA-5102 AND VAR-5113 - PUBLIC HEARING - APPLICANT: CHARLESTON LAMB, LLC - OWNER: A F CONSTRUCTION INC - Request for a Rezoning FROM: R-1 (SINGLE-FAMILY RESIDENTIAL) TO: R-PD11 (RESIDENTIAL PLANNED DEVELOPMENT - 11 UNITS PER ACRE) on 3.40 acres north of Wales Green Lane, approximately 750 feet west of Lamb Boulevard and 350 feet south of Sunrise Avenue (APN 140-31-801-001), Ward 3 (Reese).

C.C. 12/01/04

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

RECOMMENDATION:

Staff recommends DENIAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

NIGRO – Motion to bring forward and HOLD IN ABEYANCE Item 4 [TMP-5290] and Item 19 [VAC-5265] to 11/18/2004 Planning Commission meeting, Item 28 [GPA-5102], Item 29 [VAR-5113], Item 30 [ZON-5106], Item 31 [VAR-5110], Item 32 [WVR-5294], Item 33 [SDR-5108] and Item 59 [VAR-5227] to 12/02/2004 Planning Commission meeting, Item 38 [VAR-5099], Item 39 [ZON-5092], Item 40 [VAR-5300], Item 41 [WVR-5299], Item 42 [SDR-5098], Item 43 [SUP-5096] and Item 44 [SDR-5093] to 1/13/2005 Planning Commission meeting, to TABLE Item 25 [MSP-4622], Item 26 [SUP-5112] and Item 27 [SDR-5116] and to accept the request to WITHDRAW WITHOUT PREJUDICE Item 61 [VAR-5298] – UNANIMOUS with McSWAIN abstaining on Item 19 [VAC-5265] because her company is bidding on work with DR Horton and on Item 4 [TMP-5290] and Item 61 [VAR-5298] because her company is under contract with each of the applicants (see Note below)

PLANNING COMMISSION MEETING OF NOVEMBER 4, 2004
Planning and Development Department
Item 30– ZON-5106

MOTION – Continued:

NOTE: CHAIRMAN TRUESDELL disclosed that he does own property in the downtown area; however, it is not located within the notification area for Item 26 [SUP-5112] and Item 27 [SDR-5116] so he would be comfortable voting on both items.

NOTE: COMMISSIONER McSWAIN indicated she would abstain on Item 4 [TMP-5290] because her company is currently under contract with the KB Home and Item 61 [VAR-5298] because her company is currently under contract with the Molaskys.

MINUTES:

DAVID CLAPSADDLE, Planning and Development, stated that letters are on file for each of the requests.

(6:07 – 6:12)

1-115

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: NOVEMBER 4, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

VAR-5110 - VARIANCE RELATED TO GPA-5102, VAR-5113 AND ZON-5106 - PUBLIC HEARING - A PPLICANT: CHARLESTON LAMB, LLC - OWNER: A F CONSTRUCTION INC - Request for a Variance TO ALLOW ZERO ACRES OF OPEN SPACE WHERE 0.61 ACRES IS THE MINIMUM REQUIRED in conjunction with a proposed 37-lot single family residential development on 3.40 acres north of Wales Green Lane, approximately 750 feet west of Lamb Boulevard and 350 feet south of Sunrise Avenue (APN 140-31-801-001), R-1 (Single-Family Residential) Zone [PROPOSED: R-PD11 (Residential Planned Development - 11 Units per Acre)], Ward 3 (Reese).

C.C. 12/01/04

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

RECOMMENDATION:

Staff recommends DENIAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

NIGRO – Motion to bring forward and HOLD IN ABEYANCE Item 4 [TMP-5290] and Item 19 [VAC-5265] to 11/18/2004 Planning Commission meeting, Item 28 [GPA-5102], Item 29 [VAR-5113], Item 30 [ZON-5106], Item 31 [VAR-5110], Item 32 [WVR-5294], Item 33 [SDR-5108] and Item 59 [VAR-5227] to 12/02/2004 Planning Commission meeting, Item 38 [VAR-5099], Item 39 [ZON-5092], Item 40 [VAR-5300], Item 41 [WVR-5299], Item 42 [SDR-5098], Item 43 [SUP-5096] and Item 44 [SDR-5093] to 1/13/2005 Planning Commission meeting, to TABLE Item 25 [MSP-4622], Item 26 [SUP-5112] and Item 27 [SDR-5116] and to accept the request to WITHDRAW WITHOUT PREJUDICE Item 61 [VAR-5298] – UNANIMOUS with McSWAIN abstaining on Item 19 [VAC-5265] because her company is bidding on work with DR Horton and on Item 4 [TMP-5290] and Item 61 [VAR-5298] because her company is under contract with each of the applicants (see Note below)

PLANNING COMMISSION MEETING OF NOVEMBER 4, 2004
Planning and Development Department
Item 31 – VAR-5110

MOTION – Continued:

NOTE: CHAIRMAN TRUESDELL disclosed that he does own property in the downtown area; however, it is not located within the notification area for Item 26 [SUP-5112] and Item 27 [SDR-5116] so he would be comfortable voting on both items.

NOTE: COMMISSIONER McSWAIN indicated she would abstain on Item 4 [TMP-5290] because her company is currently under contract with the KB Home and Item 61 [VAR-5298] because her company is currently under contract with the Molaskys.

MINUTES:

DAVID CLAPSADDLE, Planning and Development, stated that letters are on file for each of the requests.

(6:07 – 6:12)

1-115

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: NOVEMBER 4, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

WVR-5294 - WAIVER RELATED TO GPA-5102, VAR-5113, ZON-5106 AND VAR-5110 - PUBLIC HEARING - APPLICANT: CHARLESTON LAMB, LLC - OWNER: A F CONSTRUCTION INC - Request for a Waiver of TITLE 18.12.100 TO ALLOW 32-FOOT WIDE PRIVATE STREETS WHERE 39 FEET IS THE MINIMUM REQUIRED WITH ROLL CURBS, AND OF TITLE 18.12.130, TO ALLOW A DRIVE IN EXCESS OF 150 FEET WITHOUT A CIRCULAR TURNAROUND OR EMERGENCY ACCESS GATE on 3.40 acres north of Wales Green Lane, approximately 750 feet west of Lamb Boulevard and 350 feet south of Sunrise Avenue (APN 140-31-801-001), R-1 (Single-Family Residential) Zone [PROPOSED: R-PD11 (Residential Planned Development – 11 Units per Acre)], Ward 3 (Reese).

C.C. 12/01/04

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends DENIAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

NIGRO – Motion to bring forward and HOLD IN ABEYANCE Item 4 [TMP-5290] and Item 19 [VAC-5265] to 11/18/2004 Planning Commission meeting, Item 28 [GPA-5102], Item 29 [VAR-5113], Item 30 [ZON-5106], Item 31 [VAR-5110], Item 32 [WVR-5294], Item 33 [SDR-5108] and Item 59 [VAR-5227] to 12/02/2004 Planning Commission meeting, Item 38 [VAR-5099], Item 39 [ZON-5092], Item 40 [VAR-5300], Item 41 [WVR-5299], Item 42 [SDR-5098], Item 43 [SUP-5096] and Item 44 [SDR-5093] to 1/13/2005 Planning Commission meeting, to TABLE Item 25 [MSP-4622], Item 26 [SUP-5112] and Item 27 [SDR-5116] and to accept the request to WITHDRAW WITHOUT PREJUDICE Item 61 [VAR-5298] – UNANIMOUS with McSWAIN abstaining on Item 19 [VAC-5265] because her company is bidding on work with DR Horton and on Item 4 [TMP-5290] and Item 61 [VAR-5298] because her company is under contract with each of the applicants (see Note below)

PLANNING COMMISSION MEETING OF NOVEMBER 4, 2004
Planning and Development Department
Item 32 - WVR-5294

MOTION – Continued:

NOTE: CHAIRMAN TRUESDELL disclosed that he does own property in the downtown area; however, it is not located within the notification area for Item 26 [SUP-5112] and Item 27 [SDR-5116] so he would be comfortable voting on both items.

NOTE: COMMISSIONER McSWAIN indicated she would abstain on Item 4 [TMP-5290] because her company is currently under contract with the KB Home and Item 61 [VAR-5298] because her company is currently under contract with the Molaskys.

MINUTES:

DAVID CLAPSADDLE, Planning and Development, stated that letters are on file for each of the requests.

(6:07 – 6:12)

1-115

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: NOVEMBER 4, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

SDR-5108 - SITE DEVELOPMENT PLAN REVIEW RELATED TO GPA-5102, VAR-5113, ZON-5106, VAR-5110 AND WVR-5294 - PUBLIC HEARING - APPLICANT: CHARLEST-ON LAMB, LLC - OWNER: A F CONSTRUCTION INC - Request for a Site Development Plan Review FOR A 37-LOT SINGLE-FAMILY RESIDENTIAL SUBDIVISION on 3.40 acres north of Wales Green Lane, approximately 750 feet west of Lamb Boulevard and 350 feet south of Sunrise Avenue (APN 140-31-801-001), R-1 (Single-Family Residential) Zone [PROPOSED: R-PD11 (Residential Planned Development – 11 Units per Acre)], Ward 3 (Reese).

C.C. 12/01/04

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

RECOMMENDATION:

Staff recommends DENIAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

NIGRO – Motion to bring forward and HOLD IN ABEYANCE Item 4 [TMP-5290] and Item 19 [VAC-5265] to 11/18/2004 Planning Commission meeting, Item 28 [GPA-5102], Item 29 [VAR-5113], Item 30 [ZON-5106], Item 31 [VAR-5110], Item 32 [WVR-5294], Item 33 [SDR-5108] and Item 59 [VAR-5227] to 12/02/2004 Planning Commission meeting, Item 38 [VAR-5099], Item 39 [ZON-5092], Item 40 [VAR-5300], Item 41 [WVR-5299], Item 42 [SDR-5098], Item 43 [SUP-5096] and Item 44 [SDR-5093] to 1/13/2005 Planning Commission meeting, to TABLE Item 25 [MSP-4622], Item 26 [SUP-5112] and Item 27 [SDR-5116] and to accept the request to WITHDRAW WITHOUT PREJUDICE Item 61 [VAR-5298] – UNANIMOUS with McSWAIN abstaining on Item 19 [VAC-5265] because her company is bidding on work with DR Horton and on Item 4 [TMP-5290] and Item 61 [VAR-5298] because her company is under contract with each of the applicants (see Note below)

PLANNING COMMISSION MEETING OF NOVEMBER 4, 2004
Planning and Development Department
Item 33 – SDR-5108

MOTION – Continued:

NOTE: CHAIRMAN TRUESDELL disclosed that he does own property in the downtown area; however, it is not located within the notification area for Item 26 [SUP-5112] and Item 27 [SDR-5116] so he would be comfortable voting on both items.

NOTE: COMMISSIONER McSWAIN indicated she would abstain on Item 4 [TMP-5290] because her company is currently under contract with the KB Home and Item 61 [VAR-5298] because her company is currently under contract with the Molaskys.

MINUTES:

DAVID CLAPSADDLE, Planning and Development, stated that letters are on file for each of the requests.

(6:07 – 6:12)

1-115

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: NOVEMBER 4, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

MOD-5254 - MAJOR MODIFICATION - PUBLIC HEARING -
APPLICANT/OWNER: CITY OF LAS VEGAS - Request for a Major Modification to the Lone Mountain Master Development Plan FROM: PCD (PLANNED COMMUNITY DEVELOPMENT) TO: PR-OS (PARK/SCHOOL/RECREATION/OPEN SPACE) on 2.73 acres adjacent to the southeast corner of Alexander Road and Hualapai Way (APN 138-07-101-002 and 004), U (Undeveloped) Zone [PF (Public Facilities) General Plan Designation] and U (Undeveloped) Zone [PR-OS (Parks/Recreation/Open Space) General Plan Designation] [PROPOSED: PD (Planned Development)], Ward 4 (Brown).

C.C. 12/01/04

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

McSWAIN – APPROVED subject to Conditions – UNANIMOUS

To be heard by City Council 12/01/2004

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open on Item 34 [MOD-5254], Item 35 [ZON-5256] and Item 36 [SDR-5257].

DAVID CLAPSADDLE, Planning and Development Department, explained that approval of the Modification and Rezoning applications would provide one overall land use designation to develop a park on the entire 102-acre site. He pointed out that Condition 5 on Item 36 [SDR-5257] requires a Multi-Use, Non-Equestrian Trail along the northern alignment of Gowan Road. MR. CLAPSADDLE clarified that the trail for this piece of property is still showing on the

Trails Plan so the City must request the trail be constructed. However, to the east and west of this site,

PLANNING COMMISSION MEETING OF NOVEMBER 4, 2004
Planning and Development Department
Item 34 – MOD-5254

MINUTES – Continued:

there was a previous plan amendment that moved the alignment so the trail is no longer a requirement. Staff asked that the language “unless amended by a subsequent General Plan Amendment” be added to remove the trail requirement.

CLAIRE LEWIS, City of Las Vegas, Department of Public Works, appeared on behalf of the applicant and concurred with staff recommendations including the proposed amended language for Condition 5 on Item 36 [SDR-5257].

CLAY STRINGHAM, Challenger School, explained the school is directly to the south of the subject property, across Gowan Road. He indicated the school was not opposed to the property being developed as a parks and recreational development. Not being fully briefed on the scope of the project, he voiced concern about the locations of driveways and parking lots. MR. STRINGHAM referenced Metro Park, which is adjacent to the school’s property, and he said the City had failed to provide sufficient fencing and parking when that park was built. The result is nuisance traffic, trespassing and vandalism. MR. STRINGHAM wanted to bring this problem to the attention of the Commission in the hopes that it would not happen again with the proposed project. MR. LEWIS indicated he would be happy to meet with MR. STRINGHAM to discuss and address his concerns.

COMMISSIONER McSWAIN stated the facility looked very nice. She asked if artificial turf has been used in other parks within the City. MR. LEWIS replied that there was one installation at Ed Fountain Park and that the City was in the process of installing some at Washington/Buffalo Park. He said seven of the 11 fields at that location would be synthetic turf. He clarified that the proposal suggests the top portion of the park project be artificial turf with the lower portion being natural turf. COMMISSIONER McSWAIN confirmed with MR. LEWIS that the City has not had a lot of experience with the maintenance of the synthetic turf because it was first installed in March of 2004. She indicated her primary concern pertained to the possibility of injury to children playing on the artificial fields. Having played on synthetic turf herself, she was aware of how tough it could be. She questioned if the synthetic turf was being installed because it had an economical advantage. MR. LEWIS explained the turf was selected due to water conservation efforts, not because it is economically cheaper. He also explained that the new brand of synthetic turf has a rubber in fill and he was not aware of any problems at Ed Fountain Park.

CHAIRMAN TRUESDELL declared the Public Hearing closed on Item 34 [MOD-5254], Item 35 [ZON-5256] and Item 36 [SDR-5257].

(7:30 – 7:37)

1-3467

PLANNING COMMISSION MEETING OF NOVEMBER 4, 2004
Planning and Development Department
Item 34 – MOD-5254

CONDITION:

Planning and Development

1. Conformance to the Lone Mountain Master Development Plan, except as amended by this request.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: NOVEMBER 4, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

ZON-5256 – REZONING RELATED TO MOD-5254 - PUBLIC HEARING - APPLICANT/OWNER: CITY OF LAS VEGAS - Request for a Rezoning FROM: U (UNDEVELOPED) [PF (PUBLIC FACILITIES) AND [PR-OS (PARKS/RECREATION/OPEN SPACE) GENERAL PLAN DESIGNATIONS] TO: PD (PLANNED DEVELOPMENT) on 2.73 acres adjacent to the southeast corner of Alexander Road and Hualapai Way (APN 138-07-101-002 and 004), Ward 4 (Brown).

C.C. 12/01/04

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

McSWAIN – APPROVED subject to Conditions – UNANIMOUS

To be heard by City Council 12/01/2004

MINUTES:

See Item 34 [MOD-5254] for related discussion for Item 34 [MOD-5254], Item 35 [ZON-5256] and Item 36 [SDR-5257].

(7:30 – 7:37)

1-3467

CONDITIONS:

Planning and Development

1. This Rezoning shall go direct to ordinance.

PLANNING COMMISSION MEETING OF NOVEMBER 4, 2004
Planning and Development Department
Item 35 – ZON-5256

CONDITIONS – Continued:

2. Approval of Site Development Plan Review (SDR-5257) by the Planning Commission and City Council prior to issuance of any permits, any site grading, and all development activity for the site.

Public Works

3. If not already in place, construct half-street improvements including appropriate overpaving on Alexander Road adjacent to this site concurrent with development of this site.
4. A Drainage Plan and Technical Drainage Study or other acceptable information must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits or submittal of any construction drawings, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study.
5. A Traffic Impact Analysis or other acceptable information must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits or submittal of any construction drawings.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: NOVEMBER 4, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

SDR-5257 - SITE DEVELOPMENT PLAN REVIEW RELATED TO MOD-5254 AND ZON-5256 - PUBLIC HEARING - APPLICANT/OWNER: CITY OF LAS VEGAS - Request for a Site Development Plan Review FOR A PROPOSED BASEBALL AND SOFTBALL PARK on approximately 102.6 acres adjacent to the southeast corner of Alexander Road and Hualapai Way (APN 138-07-201-006, 138-07-102-001, 138-07-201-010, 138-07-103-002, 138-07-101-002 and 004), U (Undeveloped) Zone [PF (Public Facilities) and PR-OS (Parks/Recreation/Open Space) General Plan Designations] [PROPOSED: PD (Planned Development)], U (Undeveloped) Zone [PR-OS (Parks/Recreation/Open Space) General Plan Designation] under Resolution of Intent to PD (Planned Development), C-V (Civic) Zone under Resolution of Intent to PD (Planned Development) Zone, and PD (Planned Development) Zone, Ward 4 (Brown).

C.C. 12/01/04

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

McSWAIN – APPROVED subject to conditions and amending the following condition:

5. The site plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect a Multi-Use Non-Equestrian Transportation Trail along the northern alignment of Gowan Road *unless amended by a subsequent General Plan Amendment.*

– UNANIMOUS

To be heard by City Council 12/01/2004

PLANNING COMMISSION MEETING OF NOVEMBER 4, 2004
Planning and Development Department
Item 36 – SDR-5257

MINUTES:

See Item 34 [MOD-5254] for related discussion for Item 34 [MOD-5254], Item 35 [ZON-5256] and Item 36 [SDR-5257].

(7:30 – 7:37)

1-3467

CONDITIONS:

Planning and Development

1. Approval of Major Modification (MOD-5254) and Rezoning (ZON-5256) by the City Council.
2. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
3. All exterior lighting shall meet the standards of Title 19.08.060(C).
4. All development shall be in conformance with the site plan and building elevations, date stamped October 21, 2004, except as amended by conditions herein.
5. The site plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect a Multi-Use Non-Equestrian Transportation Trail along the northern alignment of Gowan Road.
6. Wallpack lighting shall utilize 'shoe-box' fixtures and downward-directed lights on the proposed building. Lighting standards within the parking lots shall be no more than 20 feet in height and shall utilize 'shoe-box' fixtures and downward-directed lights.
7. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
8. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner.
9. A landscaping plan shall be submitted prior to or at the same time application is made for a building permit, or prior to occupancy, whichever occurs first.

PLANNING COMMISSION MEETING OF NOVEMBER 4, 2004
Planning and Development Department
Item 36 – SDR-5257

CONDITIONS – Continued:

10. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.
11. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 19.12.050.
12. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

13. If not already in place, construct appropriate half-street improvements adjacent to this site concurrent with development of this site.
14. Submit an application to vacate all existing right-of-way in conflict with this site plan.
15. A Drainage Plan and Technical Drainage Study or other acceptable information must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits or submittal of any construction drawings, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study.
16. A Traffic Impact Analysis or other acceptable information must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits or submittal of any construction drawings.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: NOVEMBER 4, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

MOD-5497 - MAJOR MODIFICATION - PUBLIC HEARING - APPLICANT: TRIPLE FIVE DEVELOPMENT NEVADA - OWNER: GREAT MALL OF LAS VEGAS, LLC - Request for a Major Modification to the Town Center Land Use Plan of the Centennial Hills Sector Plan of the General Plan TO CHANGE THE LAND USE DESIGNATION FROM: MS-TC (MAIN STREET MIXED USE - TOWN CENTER) TO: GC-TC (GENERAL COMMERCIAL - TOWN CENTER) on 24.91 acres adjacent to the northwest corner of Deer Springs Way and U.S. Highway 95 (APN 125-21-201-001), Ward 6 (Mack).

C.C. 12/01/04

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

EVANS – APPROVED subject to conditions – UNANIMOUS with TRUESDELL abstaining as he has in the past. In addition, his company was involved in the transaction with those that purchased this property. He has no financial interest but felt it would be prudent to abstain.

To be heard by City Council 12/01/2004

MINUTES:

VICE CHAIRMAN NIGRO declared the public hearing open.

DAVID CLAPSADDLE, Planning and Development, stated that the request is to change the underlining plan in Town Center to General Commercial Town Center. On the location map, the area to the west of Doe Brook Trail is also designated Main Street Mixed Use – Town Center (MSTC), but it is in the Montecito Development agreement area. The proposed property on the east side is not in the Montecito Development agreement area. The Development Agreement for

PLANNING COMMISSION MEETING OF NOVEMBER 4, 2004
Planning and Development Department
Item 37 – MOD-5497

MINUTES – Continued:

the property to the west (MSTC) supercedes what the Town Center standards are, and a regional mall could be developed. However, MSTC in Town Center outside of Montecito does not allow for a regional mall. The proper designation would be General Commercial. To have the proposed property as General Commercial would allow an integrated development of future subsequent Site Plans to come before the Commission for this property and the property to the west at a later date.

PAUL LARSEN, Attorney, 300 S. Fourth Street, appeared with BARRY BENDER, Triple Five Nevada Development Corporation, and stated that this is the first step in a number of applications proposing a regional mall starting to the immediate west and stretching to the Highway 95 alignment. ATTORNEY LARSEN then concurred with staff's conditions.

DOTTIE MILLER, a resident of the Timberlake Community, which is located south of the proposed property, stated that residents have met twice with representatives from the Triple Five Development Company. She hoped that the meetings would continue. She felt that the rezoning request was premature, as there are pending issues. There are future plans for a hospital, Montecito Parkway Alignment has not been confirmed, and the residents have not seen a Site Plan for the proposed project. She emphasized that the residents do not oppose the project but would like to see the Site Plan. If the rezoning is approved and the project is not developed, the residents would like to see a condition stipulating the zoning would revert back to Main Street Mixed Use. She also stated that the residents were advised that they would receive notification regarding any projects relative to Town Center; however, she pointed out that there were two items on this agenda (Item 64 and Item 65) in which residents were not informed about. In addition, she requested that when the application goes before City Council, the residents would like the item be time certain and not too early to accommodate some of the residents' schedules.

JAY LEAVITT, 8336 Fawn Heather Court, stated his support of the proposed project; however, he agreed that a stipulation should be made to ensure that if the project is not completed, the zoning would revert back to Main Street Mixed Use.

BARRY BENDER stated that the reason for this change is to facilitate a Site Plan to bring forward to the residents and the community at large. He questioned why the residents would want the rezoning to revert back if the project was not developed, since the property needs to be developed with continuity. This is a problem with the Montecito Town Center Plan, as there are 40 acres to the west that is in the Town Center Development Plan, and 25 acres to the east, which is not. So, the subject property would need to be consistent with the 40 acres to the west. He assured the residents that they would continue to have meetings and they would be able to have input into the Site Plan as it is developed.

PLANNING COMMISSION MEETING OF NOVEMBER 4, 2004
Planning and Development Department
Item 37 – MOD-5497

MINUTES – Continued:

In response to COMMISSIONER McSWAIN'S inquiry, DEPUTY CITY ATTORNEY BRYAN SCOTT informed her that the applicant would not be required to do the reversion back to the original zoning unless the applicant agreed to do so.

In light of the residents' concerns regarding the Site Plan, COMMISSIONER EVANS requested for DEPUTY CITY ATTORNEY SCOTT to elaborate on the process. DEPUTY CITY ATTORNEY SCOTT responded that the residents would have the opportunity to make comments on the design of the project as the applications come forward.

VICE CHAIRMAN NIGRO believed COMMISSIONER McSWAIN'S concern was previously raised regarding the batting cages. It was understood that if the use was not in force, the zoning could not revert back to O or its original zoning. DEPUTY CITY ATTORNEY SCOTT replied that the Commission could make stipulations with the applicant's concurrence but not impose such stipulations.

COMMISSIONER McSWAIN then asked if the applicant was willing to have such a stipulation. MR. BENDER replied that they would not be able to do so at this time. The project is now owned by one entity and continuity of the development of the project is vital. COMMISSIONER McSWAIN was concerned with whether or not the applicant could come back and request something different later if the regional mall was not developed. MR. BENDER responded that it would be handled during Site Plan Review, as it would be subject to Planning Commission and City Council's approval. She understood MR. BENDER'S comment but questioned when the opportunities for different uses come into play on the requested zoning. MR. CLAPSADDLE stated that the applicant is requesting General Commercial Town Center as a land use category, which allows for typical General Commercial uses anywhere. As a result, it does allow for more uses than what the current designation allows for. He then clarified that the request is not for rezoning, it is a modification to the land use plan. By doing the modification, it would allow more intense uses than what is currently allowed. Giving an example, COMMISSIONER McSWAIN confirmed with staff that if the regional mall is not constructed, the applicant could come back and request an automotive shop. With that, MR. CLAPSADDLE added that these types of uses are allowed in General Commercial Town Center (GC-TC). COMMISSIONER McSWAIN then stated that since this was not a zone change and only a land use designation, the Commission has the option to deny the zone change for a particular use simply because it was not compatible. MR. CLAPSADDLE responded that by doing the major modification, it would allow the same type of uses at the MSTC in Montecito to the west of this site, so it is actually a compatible land use change that would be appropriate for the area.

PLANNING COMMISSION MEETING OF NOVEMBER 4, 2004
Planning and Development Department
Item 37 – MOD-5497

MINUTES – Continued:

COMMISSIONER GOYNES added that it is basically matching up what uses could go on the proposed site and the property directly to the west.

COMMISSIONER GOYNES commented this area has been looked at several times in the last few years. He felt that MS. MILLER, along with the other Timberlake residents, would be involved in this process every step of the way and in constant communication with the developer.

In response to VICE CHAIRMAN NIGRO'S question, MR. CLAPSADDLE responded that these types of applications were previously done as General Plan Amendments, but Major Modification was the proper process to use. The underlined General Plan Amendment would be amended and not the overall Plan Designation of Town Center. VICE CHAIRMAN NIGRO agreed with staff's recommendation because making the zoning compatible allows for a comprehensive plan.

COMMISSIONER EVANS pointed out that if the application is approved, it is with understanding that the Commission is looking to see a regional mall.

No one appeared in opposition.

VICE CHAIRMAN NIGRO declared the public hearing closed.

(7:37-7:54)

2-156

CONDITIONS:

Planning and Development

1. A Site Development Plan Review that shall be approved by the City Council at a Public Hearing.
2. Conformance to the Centennial Hills Sector Plan and the Town Center Development Standards Manual, except as amended by this request and other related applications.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: NOVEMBER 4, 2004

DEPARTMENT: PLANNING & DEVELOPMENT**DIRECTOR: ROBERT S. GENZER**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

VAR-5099 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: BON BON, LLC - Request for a Variance TO ALLOW AN R-PD (RESIDENTIAL PLANNED DEVELOPMENT) ZONING DISTRICT ON 4.40 ACRES WHERE 5.00 ACRES IS THE MINIMUM REQUIRED adjacent to the east side of Pecos Road approximately 290 feet south of Bonanza Road (APN 140-31-121-003), C-1 (Limited Commercial) Zone [PROPOSED: R-PD9 (Residential Planned Development - 9 Units per Acre], Ward 3 (Reese).

ABEYANCE TO THE JANUARY 13, 2005 PLANNING COMMISSION MEETING**PROTESTS RECEIVED BEFORE:**

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends ABEYANCE

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

NIGRO – Motion to bring forward and **HOLD IN ABEYANCE** Item 4 [TMP-5290] and Item 19 [VAC-5265] to 11/18/2004 Planning Commission meeting, Item 28 [GPA-5102], Item 29 [VAR-5113], Item 30 [ZON-5106], Item 31 [VAR-5110], Item 32 [WVR-5294], Item 33 [SDR-5108] and Item 59 [VAR-5227] to 12/02/2004 Planning Commission meeting, Item 38 [VAR-5099], Item 39 [ZON-5092], Item 40 [VAR-5300], Item 41 [WVR-5299], Item 42 [SDR-5098], Item 43 [SUP-5096] and Item 44 [SDR-5093] to 1/13/2005 Planning Commission meeting, to **TABLE** Item 25 [MSP-4622], Item 26 [SUP-5112] and Item 27 [SDR-5116] and to accept the request to **WITHDRAW WITHOUT PREJUDICE** Item 61 [VAR-5298] – **UNANIMOUS** with McSWAIN abstaining on Item 19 [VAC-5265] because her company is bidding on work with DR Horton and on Item 4 [TMP-5290] and Item 61 [VAR-5298] because her company is under contract with each of the applicants (see Note below)

PLANNING COMMISSION MEETING OF NOVEMBER 4, 2004
Planning and Development Department
Item 38 – VAR-5099

MOTION – Continued:

NOTE: CHAIRMAN TRUESDELL disclosed that he does own property in the downtown area; however, it is not located within the notification area for Item 26 [SUP-5112] and Item 27 [SDR-5116] so he would be comfortable voting on both items.

NOTE: COMMISSIONER McSWAIN indicated she would abstain on Item 4 [TMP-5290] because her company is currently under contract with the KB Home and Item 61 [VAR-5298] because her company is currently under contract with the Molaskys.

MINUTES:

DAVID CLAPSADDLE, Planning and Development, stated that letters are on file for each of the requests.

(6:07 – 6:12)

1-115

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: NOVEMBER 4, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

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DISCUSSION

SUBJECT:

ZON-5092 - REZONING RELATED TO VAR-5099 - PUBLIC HEARING - APPLICANT/OWNER: BON BON, LLC - Request for a Rezoning FROM: C-1 (LIMITED COMMERCIAL) TO: R-PD9 (RESIDENTIAL PLANNED DEVELOPMENT - 9 UNITS PER ACRE) on 4.40 acres adjacent to the east side of Pecos Road approximately 290 feet south of Bonanza Road (APN 140-31-121-003), Ward 3 (Reese).

ABEYANCE TO THE JANUARY 13, 2005 PLANNING COMMISSION MEETING

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends ABEYANCE

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

NIGRO – Motion to bring forward and HOLD IN ABEYANCE Item 4 [TMP-5290] and Item 19 [VAC-5265] to 11/18/2004 Planning Commission meeting, Item 28 [GPA-5102], Item 29 [VAR-5113], Item 30 [ZON-5106], Item 31 [VAR-5110], Item 32 [WVR-5294], Item 33 [SDR-5108] and Item 59 [VAR-5227] to 12/02/2004 Planning Commission meeting, Item 38 [VAR-5099], Item 39 [ZON-5092], Item 40 [VAR-5300], Item 41 [WVR-5299], Item 42 [SDR-5098], Item 43 [SUP-5096] and Item 44 [SDR-5093] to 1/13/2005 Planning Commission meeting, to TABLE Item 25 [MSP-4622], Item 26 [SUP-5112] and Item 27 [SDR-5116] and to accept the request to WITHDRAW WITHOUT PREJUDICE Item 61 [VAR-5298] – UNANIMOUS with McSWAIN abstaining on Item 19 [VAC-5265] because her company is bidding on work with DR Horton and on Item 4 [TMP-5290] and Item 61 [VAR-5298] because her company is under contract with each of the applicants (see Note below)

NOTE: CHAIRMAN TRUESDELL disclosed that he does own property in the downtown area; however, it is not located within the notification area for Item 26 [SUP-5112] and Item 27 [SDR-5116] so he would be comfortable voting on both items.

PLANNING COMMISSION MEETING OF NOVEMBER 4, 2004
Planning and Development Department
Item 39 – ZON-5092

MOTION – Continued:

NOTE: COMMISSIONER McSWAIN indicated she would abstain on Item 4 [TMP-5290] because her company is currently under contract with the KB Home and Item 61 [VAR-5298] because her company is currently under contract with the Molaskys.

MINUTES:

DAVID CLAPSADDLE, Planning and Development, stated that letters are on file for each of the requests.

(6:07 – 6:12)

1-115

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: NOVEMBER 4, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

VAR-5300 - VARIANCE RELATED TO VAR-5099 AND ZON-5092 - PUBLIC HEARING - APPLICANT/OWNER: BON BON, LLC - Request for a Variance TO ALLOW ZERO ACRES OF OPEN SPACE WHERE 0.68 ACRES IS THE MINIMUM REQUIRED in conjunction with a proposed 41-lot single-family residential development on 4.40 acres adjacent to the east side of Pecos Road approximately 290 feet south of Bonanza Road (APN a portion of 140-31-121-003), C-1 (Limited Commercial) Zone [PROPOSED: R-PD9 (Residential Planned Development - 9 Units per Acre], Ward 3 (Reese).

ABEYANCE TO THE JANUARY 13, 2005 PLANNING COMMISSION MEETING

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends ABEYANCE

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

NIGRO – Motion to bring forward and HOLD IN ABEYANCE Item 4 [TMP-5290] and Item 19 [VAC-5265] to 11/18/2004 Planning Commission meeting, Item 28 [GPA-5102], Item 29 [VAR-5113], Item 30 [ZON-5106], Item 31 [VAR-5110], Item 32 [WVR-5294], Item 33 [SDR-5108] and Item 59 [VAR-5227] to 12/02/2004 Planning Commission meeting, Item 38 [VAR-5099], Item 39 [ZON-5092], Item 40 [VAR-5300], Item 41 [WVR-5299], Item 42 [SDR-5098], Item 43 [SUP-5096] and Item 44 [SDR-5093] to 1/13/2005 Planning Commission meeting, to TABLE Item 25 [MSP-4622], Item 26 [SUP-5112] and Item 27 [SDR-5116] and to accept the request to WITHDRAW WITHOUT PREJUDICE Item 61 [VAR-5298] – UNANIMOUS with McSWAIN abstaining on Item 19 [VAC-5265] because her company is bidding on work with DR Horton and on Item 4 [TMP-5290] and Item 61 [VAR-5298] because her company is under contract with each of the applicants (see Note below)

PLANNING COMMISSION MEETING OF NOVEMBER 4, 2004
Planning and Development Department
Item 40 – VAR-5300

MOTION – Continued:

NOTE: CHAIRMAN TRUESDELL disclosed that he does own property in the downtown area; however, it is not located within the notification area for Item 26 [SUP-5112] and Item 27 [SDR-5116] so he would be comfortable voting on both items.

NOTE: COMMISSIONER McSWAIN indicated she would abstain on Item 4 [TMP-5290] because her company is currently under contract with the KB Home and Item 61 [VAR-5298] because her company is currently under contract with the Molaskys.

MINUTES:

DAVID CLAPSADDLE, Planning and Development, stated that letters are on file for each of the requests.

(6:07 – 6:12)

1-115

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: NOVEMBER 4, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

WVR-5299 - WAIVER RELATED TO VAR-5099, ZON-5092 AND VAR-5300 - PUBLIC HEARING - APPLICANT/OWNER: BON BON, LLC - Request for a Waiver of Title 18.12.130 TO ALLOW A PUBLIC STREET TO TERMINATE WITHOUT A CIRCULAR CUL-DE-SAC OR EMERGENCY ACCESS GATE WHERE ONE IS REQUIRED FOR STREETS TERMINATING OTHER THAN AT AN INTERSECTION WITH ANOTHER PUBLIC STREET in conjunction with a proposed 41-lot single-family residential development on 4.40 acres adjacent to the east side of Pecos Road approximately 290 feet south of Bonanza Road (APN a portion of 140-31-121-003), C-1 (Limited Commercial) Zone [PROPOSED: R-PD9 (Residential Planned Development - 9 Units per Acre], Ward 3 (Reese).

ABEYANCE TO THE JANUARY 13, 2005 PLANNING COMMISSION MEETING

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

RECOMMENDATION:

Staff recommends ABEYANCE

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

NIGRO – Motion to bring forward and HOLD IN ABEYANCE Item 4 [TMP-5290] and Item 19 [VAC-5265] to 11/18/2004 Planning Commission meeting, Item 28 [GPA-5102], Item 29 [VAR-5113], Item 30 [ZON-5106], Item 31 [VAR-5110], Item 32 [WVR-5294], Item 33 [SDR-5108] and Item 59 [VAR-5227] to 12/02/2004 Planning Commission meeting, Item 38 [VAR-5099], Item 39 [ZON-5092], Item 40 [VAR-5300], Item 41 [WVR-5299], Item 42 [SDR-5098], Item 43 [SUP-5096] and Item 44 [SDR-5093] to 1/13/2005 Planning Commission meeting, to TABLE Item 25 [MSP-4622], Item 26 [SUP-5112] and Item 27 [SDR-5116] and to accept the request to WITHDRAW WITHOUT PREJUDICE Item 61 [VAR-5298] – UNANIMOUS with McSWAIN abstaining on Item 19 [VAC-5265] because her company is bidding on work with DR Horton and on Item 4 [TMP-5290] and Item 61 [VAR-5298] because her company is under contract with each of the applicants (see Note below)

PLANNING COMMISSION MEETING OF NOVEMBER 4, 2004
Planning and Development Department
Item 41 – WVR-5299

MOTION – Continued:

NOTE: CHAIRMAN TRUESDELL disclosed that he does own property in the downtown area; however, it is not located within the notification area for Item 26 [SUP-5112] and Item 27 [SDR-5116] so he would be comfortable voting on both items.

NOTE: COMMISSIONER McSWAIN indicated she would abstain on Item 4 [TMP-5290] because her company is currently under contract with the KB Home and Item 61 [VAR-5298] because her company is currently under contract with the Molaskys.

MINUTES:

DAVID CLAPSADDLE, Planning and Development, stated that letters are on file for each of the requests.

(6:07 – 6:12)

1-115

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: NOVEMBER 4, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

SDR-5098 - SITE DEVELOPMENT PLAN REVIEW RELATED TO VAR-5099, ZON-5092, VAR-5300 AND WVR-5299 - PUBLIC HEARING - APPLICANT/OWNER: BON BON, LLC - Request for a Site Development Plan Review FOR A PROPOSED 41-LOT SINGLE-FAMILY RESIDENTIAL DEVELOPMENT on 4.40 acres adjacent to the east side of Pecos Road approximately 290 feet south of Bonanza Road (APN 140-31-121-003), C-1 (Limited Commercial) Zone [PROPOSED: R-PD9 (Residential Planned Development - 9 Units per Acre], Ward 3 (Reese).

ABEYANCE TO THE JANUARY 13, 2005 PLANNING COMMISSION MEETING

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends ABEYANCE

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

NIGRO – Motion to bring forward and HOLD IN ABEYANCE Item 4 [TMP-5290] and Item 19 [VAC-5265] to 11/18/2004 Planning Commission meeting, Item 28 [GPA-5102], Item 29 [VAR-5113], Item 30 [ZON-5106], Item 31 [VAR-5110], Item 32 [WVR-5294], Item 33 [SDR-5108] and Item 59 [VAR-5227] to 12/02/2004 Planning Commission meeting, Item 38 [VAR-5099], Item 39 [ZON-5092], Item 40 [VAR-5300], Item 41 [WVR-5299], Item 42 [SDR-5098], Item 43 [SUP-5096] and Item 44 [SDR-5093] to 1/13/2005 Planning Commission meeting, to TABLE Item 25 [MSP-4622], Item 26 [SUP-5112] and Item 27 [SDR-5116] and to accept the request to WITHDRAW WITHOUT PREJUDICE Item 61 [VAR-5298] – UNANIMOUS with McSWAIN abstaining on Item 19 [VAC-5265] because her company is bidding on work with DR Horton and on Item 4 [TMP-5290] and Item 61 [VAR-5298] because her company is under contract with each of the applicants (see Note below)

PLANNING COMMISSION MEETING OF NOVEMBER 4, 2004
Planning and Development Department
Item 42 – SDR-5098

MOTION – Continued:

NOTE: CHAIRMAN TRUESDELL disclosed that he does own property in the downtown area; however, it is not located within the notification area for Item 26 [SUP-5112] and Item 27 [SDR-5116] so he would be comfortable voting on both items.

NOTE: COMMISSIONER McSWAIN indicated she would abstain on Item 4 [TMP-5290] because her company is currently under contract with the KB Home and Item 61 [VAR-5298] because her company is currently under contract with the Molaskys.

MINUTES:

DAVID CLAPSADDLE, Planning and Development, stated that letters are on file for each of the requests.

(6:07 – 6:12)

1-115

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: NOVEMBER 4, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

SUP-5096 - SPECIAL USE PERMIT RELATED TO VAR-5099, ZON-5092, VAR-5300, WVR-5299 AND SDR-5098 - PUBLIC HEARING – APPLICANT/OWNER: BON BON, LLC - Request for a Special Use Permit FOR A SUPPER CLUB adjacent to the south of Bonanza Road approximately 290 feet east of Pecos Road (APN 140-31-121-003), C-1 (Limited Commercial) Zone , Ward 3 (Reese).

ABEYANCE TO THE JANUARY 13, 2005 PLANNING COMMISSION MEETING

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

RECOMMENDATION:

Staff recommends ABEYANCE

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

NIGRO – Motion to bring forward and HOLD IN ABEYANCE Item 4 [TMP-5290] and Item 19 [VAC-5265] to 11/18/2004 Planning Commission meeting, Item 28 [GPA-5102], Item 29 [VAR-5113], Item 30 [ZON-5106], Item 31 [VAR-5110], Item 32 [WVR-5294], Item 33 [SDR-5108] and Item 59 [VAR-5227] to 12/02/2004 Planning Commission meeting, Item 38 [VAR-5099], Item 39 [ZON-5092], Item 40 [VAR-5300], Item 41 [WVR-5299], Item 42 [SDR-5098], Item 43 [SUP-5096] and Item 44 [SDR-5093] to 1/13/2005 Planning Commission meeting, to TABLE Item 25 [MSP-4622], Item 26 [SUP-5112] and Item 27 [SDR-5116] and to accept the request to WITHDRAW WITHOUT PREJUDICE Item 61 [VAR-5298] – UNANIMOUS with McSWAIN abstaining on Item 19 [VAC-5265] because her company is bidding on work with DR Horton and on Item 4 [TMP-5290] and Item 61 [VAR-5298] because her company is under contract with each of the applicants (see Note below)

NOTE: CHAIRMAN TRUESDELL disclosed that he does own property in the downtown area; however, it is not located within the notification area for Item 26 [SUP-5112] and Item 27 [SDR-5116] so he would be comfortable voting on both items.

PLANNING COMMISSION MEETING OF NOVEMBER 4, 2004
Planning and Development Department
Item 43 – SUP-5096

MOTION – Continued:

NOTE: COMMISSIONER McSWAIN indicated she would abstain on Item 4 [TMP-5290] because her company is currently under contract with the KB Home and Item 61 [VAR-5298] because her company is currently under contract with the Molaskys.

MINUTES:

DAVID CLAPSADDLE, Planning and Development, stated that letters are on file for each of the requests.

(6:07 – 6:12)

1-115

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: NOVEMBER 4, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

SDR-5093 - SITE DEVELOPMENT PLAN REVIEW RELATED TO VAR-5099, ZON-5092, VAR-5300, WVR-5299, SDR-5098 AND SUP-5096 - PUBLIC HEARING - APPLICANT/OWNER: BON BON, LLC - Request for a Site Development Plan Review FOR A SUPPERCLUB on 1.58 acres south of Bonanza Road approximately 290 feet east of Pecos Road (APN 140-31-121-003), C-1 (Limited Commercial) Zone, Ward 3 (Reese).

ABEYANCE TO THE JANUARY 13, 2005 PLANNING COMMISSION MEETING

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends ABEYANCE

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

NIGRO – Motion to bring forward and HOLD IN ABEYANCE Item 4 [TMP-5290] and Item 19 [VAC-5265] to 11/18/2004 Planning Commission meeting, Item 28 [GPA-5102], Item 29 [VAR-5113], Item 30 [ZON-5106], Item 31 [VAR-5110], Item 32 [WVR-5294], Item 33 [SDR-5108] and Item 59 [VAR-5227] to 12/02/2004 Planning Commission meeting, Item 38 [VAR-5099], Item 39 [ZON-5092], Item 40 [VAR-5300], Item 41 [WVR-5299], Item 42 [SDR-5098], Item 43 [SUP-5096] and Item 44 [SDR-5093] to 1/13/2005 Planning Commission meeting, to TABLE Item 25 [MSP-4622], Item 26 [SUP-5112] and Item 27 [SDR-5116] and to accept the request to WITHDRAW WITHOUT PREJUDICE Item 61 [VAR-5298] – UNANIMOUS with McSWAIN abstaining on Item 19 [VAC-5265] because her company is bidding on work with DR Horton and on Item 4 [TMP-5290] and Item 61 [VAR-5298] because her company is under contract with each of the applicants (see Note below)

NOTE: CHAIRMAN TRUESDELL disclosed that he does own property in the downtown area; however, it is not located within the notification area for Item 26 [SUP-5112] and Item 27 [SDR-5116] so he would be comfortable voting on both items.

PLANNING COMMISSION MEETING OF NOVEMBER 4, 2004
Planning and Development Department
Item 44 – SDR-5093

MOTION – Continued:

NOTE: COMMISSIONER McSWAIN indicated she would abstain on Item 4 [TMP-5290] because her company is currently under contract with the KB Home and Item 61 [VAR-5298] because her company is currently under contract with the Molaskys.

MINUTES:

DAVID CLAPSADDLE, Planning and Development, stated that letters are on file for each of the requests.

(6:07 – 6:12)

1-115

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: NOVEMBER 4, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

ZON-5222 - REZONING - PUBLIC HEARING - APPLICANT: CLEDOUS L DEXTER - OWNER: ODESSA AND JOHNNY PATTILLO TRUST - Request for a Rezoning FROM: R-E (RESIDENCE ESTATES) TO: C-1 (LIMITED COMMERCIAL) on 0.58 acres located between 1000-1100 Martin L. King Boulevard. (APN 139-28-604-004), Ward 5 (Weekly).

C.C. 12/01/04

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

GOYNES – APPROVED subject to conditions – UNANIMOUS

To be heard by City Council 12/01/2004

MINUTES:

CHAIRMAN TRUESDELL declared the public hearing open on Item 45 [ZON-5222], Item 46 [SUP-5225] and Item 47 [SDR-5223].

KYLE WALTON, Planning and Development, stated that the proposed zoning of C-1 is in conformance with the Downtown Redevelopment Classification of this site of being Commercial. It is consistent with the plan and staff supported the rezoning.

The self-service car wash is a permitted use in the C-1 District with the stipulated conditions. The conditions are appropriate for the area and there is minimal impact of this site to residential, as Martin Luther King Boulevard and another street directly behind that act as buffers between this site and the residential development to the east. A condition would be added to move the

PLANNING COMMISSION MEETING OF NOVEMBER 4, 2004
Planning and Development Department
Item 45 – ZON-5222

MINUTES – Continued:

vacuums from where they are located on the site to the area next to the trash enclosure. This alteration of the plan will correct the setback error, improve onsite circulation, and move the noise producing vacuums from the proximity of the eastern property line that is shared with the existing residence to the east of the development. Staff supported the Special Use Permit.

Lastly, staff supported the Site Plan. Currently, there is an existing home, also designated as Commercial on the Downtown Redevelopment Plan, but as it is, considering it is still an existing home, the vacuums the applicant are requesting to place on the east side of the property, just so that for this use, for the time that the home remains there that the most obnoxious of the use would be the vacuums considering their sound. As a result, staff has added a condition to the Site Plan Review that the vacuums be moved from the east property line to the north property line near the entrance to this site from Martin Luther King Boulevard. There appears to be sufficient room for the applicant to do so without having to drastically change their Site Plan. In addition, there was a setback problem from the middle building to Martin Luther King Boulevard. The setback needs to be 20 feet from the front property line, and a condition would be stipulated to require that the middle building be shrunk down to allow setback conformance.

CLEDOUS L. DEXTER, applicant, request the Commission's approval and confirmed with CHAIRMAN TRUESDELL that he concurred with staff's conditions.

MACK SMITH, owner of the property adjacent to the subject property spoke on behalf of the property owners in the area and stated that they opposed the proposed project because they felt it was not appropriate and compatible with their types of businesses. He pointed out that there is an upcoming street-widening project, which would take a portion of his property. An agreement was made that a switch out on the property would be done. He requested denial on the proposed project.

COMMISSIONER GOYNES concurred with MR. SMITH'S comments and agreed that the proposed project is not an appropriate use. His opinion was that the proposed project would create problems and become a "hang-out" area, with individuals sitting and loitering for long periods of time and not just for washing their vehicles. The proposed project abuts a neighborhood, which is very sensitive. In the past, the area experienced problems that arose from a previous 7-11 convenience store on the corner of Martin Luther King Boulevard and Washington Avenue. He inquired about the details of the proposed car wash, such as hours of operation, security, and on-site attendants. The residents in this neighborhood like to hang out regardless of whether it is summertime or wintertime, that's just their nature. His main concern was the impact the proposed car wash would have in this area and the types of activities that could be drawn to this. He concluded that he would not support the proposed project.

PLANNING COMMISSION MEETING OF NOVEMBER 4, 2004
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Item 45 – ZON-5222

MINUTES – Continued:

MR. DEXTER appreciated COMMISSIONER GOYNES' comments and responded that his objective is to try and bring convenience to the neighborhood. He felt that the proposed project would be compatible to or even enhance the existing aesthetics in the neighborhood. He does not oppose to individuals "hanging out" at a carwash but his goal would be to alleviate some, if not all, of the non-productive activities and raise the standard in that particular area. He would like to give back to the community and felt the proposed project was one way to do so. He added that he was not aware of anything in the immediate area similar to this project, including the smog check service center and an on-site attendant.

COMMISSIONER GOYNES respectfully disagreed and stated that further down to the north, at Martin Luther King Boulevard and Vegas Drive, there is an existing strip mall with a lube and tune facility. He emphasized that within the next four to five years, MR. DEXTER'S proposed car wash facility would more than likely look like another facility at Martin Luther King Boulevard and Carey Avenue.

Even though MR. DEXTER respectfully disagreed with COMMISSIONER GOYNES, he believed that everyone is entitled to an opinion. However, he stated that the area is changing, as Martin Luther King Boulevard will be widened and new developments are coming into the neighborhood, and he would like to be a part of this. COMMISSIONER GOYNES then stated that the open-air car wash is not good, as it escalates the loitering factor and brings unwanted elements to the area, as well as, becomes a detriment to the existing businesses. MR. DEXTER replied that is exactly why individuals need to step up and make efforts toward "change" and eliminate such elements.

CHAIRMAN TRUESDELL commented that it was okay for people to agree to disagree. COMMISSIONER DAVENPORT then confirmed with MR. DEXTER that the car wash is the type where the individuals drive up and get out and use the spray wash to wash their cars. The patrons are not physically driving their vehicles through a system to get it washed.

COMMISSIONER McSWAIN stated this is an application that imposes on the adjacent property, as there is residential on the other side of Martin Luther King Boulevard. She has not supported similar applications in other neighborhoods in the past, and she felt that the proposed car wash was not an appropriate use for this particular location. She appreciated MR. DEXTER'S efforts in wanting to develop something on this parcel, but she believed that an outdoor car wash with its daily operation and noise level would be too much for the neighborhood.

COMMISSIONER STEINMAN reiterated COMMISSIONER GOYNES question regarding hours of operation, etc. MR. DEXTER informed COMMISSIONER STEINMAN that there

PLANNING COMMISSION MEETING OF NOVEMBER 4, 2004
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MINUTES – Continued:

would be a minimum of two individuals on site; one would be on site for eight to ten hours managing the smog station and the other one would be the clean up person to make sure the place is kept in an orderly manner. The City has set hours for this type of operation.

COMMISSIONER STEINMAN stated that he has viewed the site and the neighborhood and realized that the neighborhood is in need of individuals doing things for its community. The site is zoned for this type of use. He complimented MR. DEXTER and his great efforts for trying to provide this type of service to a neighborhood that is in need. He then stated that he firmly believed that we should support individuals who want to make contributions and be successful within their neighborhoods. He agreed that the proposed project may not look good in later years but the main point is that it is a neighborhood that is in need, so he would support the proposed project.

CHAIRMAN TRUESDELL did not wholeheartedly oppose the project. However, he was concerned with MR. DEXTER'S comments regarding individuals "hanging out", loud noise and loitering and not opposing this, as his opinion was that he should be concerned about it and make efforts to alleviate these types of problems. Otherwise, having this carwash at this location would place a great imposition on the residents within the immediate area. This is one of the reasons why proposed businesses at this location do not get the support they need. These types of businesses need individuals who are committed to maintaining and operating their companies for a long period of time. MR. DEXTER was apologetic that the Commissioners may have misunderstood his previous comments and wanted to stress that it is his intention to maintain and operate this facility in a professional manner and to ensure that the public, including his clientele, are taken care of. CHAIRMAN TRUESDELL then stated he would support the rezoning. Regarding the Special Use Permit, he requested that sufficient time be given to ensure that everyone involved has the opportunity to review it and make sure everyone's expectations are being met.

COMMISSIONER GOYNES concurred with CHAIRMAN TRUESDELL in support of the rezoning. However, he would not support the Special Use Permit or the Site Development Plan Review, as the project is not harmonious and compatible with the neighborhood.

Although it is not recommended, COMMISSIONER GOYNES suggested the applicant walking this particular neighborhood, do a notice and have a neighborhood meeting at the West Las Vegas Library to present the proposed project to the residents in this area.

PLANNING COMMISSION MEETING OF NOVEMBER 4, 2004
Planning and Development Department
Item 45 – ZON-5222

MINUTES – Continued:

CHAIRMAN TRUESDELL declared the public hearing closed on Item 45 [ZON-5222], Item 46 [SUP-5225] and Item 47 [SDR-5223].

(7:54-8:11)

2-1283

CONDITIONS:

Planning and Development

1. A Resolution of Intent with a two-year time limit.
2. Approval of a Site Development Plan Review SDR-5223 and Special Use Permit SUP-5225 by the Planning Commission and City Council prior to issuance of any permits, any site grading, and all development activity for the site.

Public Works

3. Dedicate an additional 10 feet of right-of-way for a total half-street width of 50 feet on Martin L. King Boulevard adjacent to this site prior to the issuance of any permits. Construction of these improvements is not required at this time. The future Martin L. King Boulevard widening project will include an additional 10-foot right-of-way acquisition along Martin L. King Boulevard adjacent to this site.
4. Coordinate the design of this site with the City Engineer's Office prior to the submittal of any construction drawings for this site.
5. Coordinate with the Collection Systems Planning Section of Public Works to determine appropriate public sewer paths to service this site prior to the submittal of any sewer-related construction drawings. Offsite public sewer improvements may be required to address capacity issues associated with this project.
6. Meet with the Flood Control Section of the Department of Public Works for assistance with establishing finished floor elevations and drainage patterns for this site prior to submittal of construction plans or the issuance of any building or grading permits, whichever may occur first. Provide and improve all drainageways as recommended.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: NOVEMBER 4, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

SUP-5225 - SPECIAL USE PERMIT RELATED TO ZON-5222 - PUBLIC HEARING - APPLICANT: CLEDOUS L DEXTER - OWNER: ODESSA AND JOHNNY PATILLO TRUST - Request for Special Use Permit FOR A PROPOSED AUTO SMOG CHECK AND CARWASH, SELF SERVICE located between 1000-1100 Martin L. King Boulevard. (APN 139-28-604-004), R-E (Residence Estates) Zone [PROPOSED: C-1 (Limited Commercial) Zone], Ward 5 (Weekly).

C.C.: 12/01/04 - IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

GOYNES – DENIED – Motion carried with TRUESEDELL and STEINMAN voting NO

To be heard by City Council 12/01/2004

MINUTES:

See Item 45 [ZON-5222] for all related discussion on Item 45 [ZON-5222], Item 46 [SUP-5225] and Item 47 [SDR-5223].

(7:54-8:11)

2-1283

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: NOVEMBER 4, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

SDR-5223 - SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-5222 AND SUP-5225 - PUBLIC HEARING - APPLICANT: CLEDOUS L DEXTER - OWNER: ODESSA AND JOHNNY PATTILLO TRUST - Request for Site Development Plan Review and a Waiver of perimeter buffering and landscaping standards FOR A PROPOSED SMOG CHECK AND CAR WASH, SELF SERVICE on 0.58 acres located between 1000-1100 Martin L. King Boulevard. (APN 139-28-604-004), R-E (Residence Estates) Zone [PROPOSED: C-1 (Limited Commercial) Zone], Ward 5 (Weekly).

C.C. 12/01/04

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

GOYNES – DENIED – Motion carried with TRUESDELL and STEINMAN voting NO

To be heard by City Council 12/01/2004

MINUTES:

See Item 45 [ZON-5222] for all related discussion on Item 45 [ZON-5222], Item 46 [SUP-5225] and Item 47 [SDR-5223].

(7:54-8:11)

2-1283

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: NOVEMBER 4, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

ZON-5302 - REZONING - PUBLIC HEARING - APPLICANT: STERLING S DEVELOPMENT - OWNER: QUARTERHORSE FALLS ESTATES, LLC - Request for a Rezoning FROM: U (UNDEVELOPED) [RE (RURAL ESTATES) AND RNP (RURAL NEIGHBORHOOD PRESERVATION) GENERAL PLAN DESIGNATIONS] TO: R-PD2 (RESIDENTIAL PLANNED DEVELOPMENT - 2 UNITS PER ACRE) on 15.79 acres adjacent to the southeast corner of Maverick Street and Iron Mountain Road (APN 125-11-507-002, 125-11-507-004, 125-11-503-001 and 002), Ward 6 (Mack).

C.C. 12/01/04

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

DAVENPORT – APPROVED subject to conditions, amending the following conditions:

3. Dedicate 40 feet of right-of-way adjacent to this site for Iron Mountain Road where no right-of-way currently exists.
5. Construct half-street improvements including appropriate overpaving (if legally able) Iron Mountain Road and *construct rural improvements on* Brent Lane adjacent to this site concurrent with development of this site. Install all appurtenant underground facilities, if any, adjacent to this site needed for the future traffic signal system concurrent with development of this site. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site. Extend all required underground utilities, such as electrical, telephone, etc., located within public rights-of-way, past the western boundaries of this site prior to construction of hard surfacing (asphalt or concrete).

and adding the following condition:

- Horses shall be allowed pursuant to City Code.

PLANNING COMMISSION MEETING OF NOVEMBER 4, 2004
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Item 48 – ZON-5302

MOTION – Continued:

– Motion carried with McSWAIN abstaining as her company is presently doing work for Sterling S Development, NIGRO abstaining as he is currently in litigation with one of the principles at Sterling S Development and GOYNES and EVANS voting NO

To City Council 12/01/2004

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open on Item 48 [ZON-5302], Item 49 [VAR-5306] and Item 50 [SDR-5304].

DAVID CLAPSADDLE, Planning and Development, stated that this request is an expansion to the property to the east. The 33 lots are at a residential density at 2.09 units per acre. The minimum lot size is just over 18,000 square feet with the average lot size at 21,000 square feet, so it would be a true two-unit per acre project. Some of the conditions on the applications include the dedication of right-of-way for the Iron Mountain Road and payment of fees in lieu of open space. Normally staff does not recommend approval for an open space variance; however, the open space requirement for all the properties combined meets the standards of the Code. With the understanding that each side of the development would have access to the open space, staff supported the open space variance. In addition, the landscaping along Brent Lane needs to be specified on the Site Plan, the Site Plan needs to be revised to reflect the trails south of Iron Mountain Road, and Maverick Street and Maggie Avenue would need to be vacated at a future date.

BRYAN PSIODA, 2727 S. Rainbow, thanked MR. CLAPSADDLE for the overview of the proposed project. He added that the neighbors requested one of the access points to the site be from Jones Boulevard. He showed photos of the Site Plan and emphasized the only change is one access point moving to Jones Boulevard. He reiterated the lot sizes average from 18,000 to 21,000 square feet.

For the record, MR. PSIODA stated that the applicant has agreed with staff's recommendation to have 20% contrasting materials, as he submitted a sample photo of such wall. Although the applicant did not have a detailed landscaped plan, the agreement was made to comply with staff's recommendations. They would like to receive the entitlements first before large sums of money are exhausted on the landscaping but would submit the plans at the appropriate time. The keeping of horses would not be prohibited on this property, and this would be stated in the CCNR's. He used the overhead to show an existing residence belonging to a MR. ALEXANDER, which had a very nice wall surrounding his property. If physically possible, the developer has agreed to increase the height of this resident's wall to the maximum allowed,

PLANNING COMMISSION MEETING OF NOVEMBER 4, 2004
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Item 48 – ZON-5302

MINUTES – Continued:

which is eight feet. Originally, the residents requested one-story units along the entire western property line. The applicant could not concede to this at this time, but they have agreed that two of the lots would be one story. Other properties are vacant, and developers have the opportunity to build two-story homes. They did not believe it would be fair to restrict the applicant to having only one-story homes. Although MR. PSIODA was cautious in giving lot numbers at an early stage of the project, he proceeded in responding to CHAIRMAN TRUESDELL'S request and stated that on this current Site Plan, the lots would be Lot 28 and Lot 33. With the adjacent neighbor's cooperation, the developer has also agreed to process the necessary Vacation applications on their behalf. At the residents' request, City Council approved Brent Lane as a rural street section. The applicant would like it to continue further up Brent Lane and realized this may have to be approved at City Council.

COMMISSIONER EVANS was somewhat confused by MR. PSIODA'S presentation and wanted clarification about the applicant agreeing to staff's conditions and the aforementioned were additional concessions that the applicant was agreeing to do also. MR. PSIODA responded yes and stated that Councilman Mack's office has a copy of the list of additional concessions. He then asked for clarification from Public Works on Condition 3 of Item 48 [ZON-5302] relative to the dedicated right-of-way, which should be 40 feet and not 50 feet. CHAIRMAN TRUESDELL stated that the intent is to match what has already been approved on the adjacent property. DAVID GUERRA, Public Works, concurred and stated he was just given confirmation that the adjacent property has, in fact, already been approved at 40 feet so, Public Works could agree to the change for this property also. MR. PSIODA also stated that there would be no streetlights on the private streets within the development; there would be gas or electric lamp type or coach lighting.

DIANE ALLEN, 6291 Masonheimer, Las Vegas, NV 89131, stated that several months ago, she and other residents met with a representative from VTN and not Sterling S Development. They received some information and portions of the applications were approved and some forwarded to City Council. At Council, the City Attorney advised them that residents could not discuss the first portion of the project because it was not on the agenda. However, the residents have become even more concerned about the overall project and its density, even though it meets the two units per acre. The last notification they received was from the County and it pertained to a parcel two properties away and involved 11 cows and eight horses.

This proposed project has now been changed from 31 units to 33 units with no open space. These homes would total approximately 89,000 square feet and over two acres. The property owner behind the proposed homes is already placing building materials on his property in preparation for building a home. The property across the street on Brent Lane is a five-acre

PLANNING COMMISSION MEETING OF NOVEMBER 4, 2004
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Item 48 – ZON-5302

MINUTES – Continued:

estate, and on the corner is a two and a half-acre estate. In addition, there is a ranch nearby with 30 horses and an additional property that has 12 horses where there is heavy traffic with horses in and out for training. As a result, the area is extremely rural with very low density.

MS. ALLEN concluded by stating that the residents would like to see the open space, as well as, the density on the second portion of the project be equal to the first portion of the project, as a means of keeping their rural neighborhood.

MARVIN LEONARD, 9041 Wind Warrior Avenue, stated that the applicant has not made any concessions for him or the property owners to the east, Mr. & Mrs. Alexander, relative to a higher wall. The discussion was for a higher wall for the entire site and not just for some of the property owners. He stated that he has yet to receive a notification or a telephone call from the developer, as the proposed project would surround his property on two sides. In addition, they were only told that Maggie Avenue would be vacated but the question was not asked to the residents. He owns a horse that is kept on Craig Road and Durango Drive, but in order to ride the horse, he has to put him in a trailer and haul him to another side of town. As a result, he and his wife specifically purchased a two and a half-acre property for the rural environment and freedom to ride their horses. He pointed out that there is an easement on the other side of his property on Maggie Avenue that they intended to use it for hauling horses and hay in and out of their property. However, the developer has stated that the intent is to vacate Maggie Avenue, which would limit him in having access to just the front of their property. MR. LEONARD concluded that the proposed development would have residents that would have to deal with the smell of horses and livestock because the zoning is Rural.

JIM MARINOW, 6280 Brent Lane, stated that the proposed project does not border his property, but he is concerned with the density. He moved into this area eight years ago and has seen the area mature, but the average homeowner has two and a half acres. He requested that their neighborhood remain preserved as a rural environment.

FRANK ALEXANDER, 8820 Maverick Street, stated that throughout the meetings, the residents were consistently being advised that Phase II of the project could not be discussed. He stressed to the Commission that a meeting has not been held regarding Phase II so that the residents could voice their concerns. The discussions have only centered on Phase I, even though the residents wanted to discuss Phase II. He continued by stating that the residents requested an eight-foot wall along the parameters of the project. However, the applicant has stated at this meeting that they would do an eight-foot wall behind his property, specifically add an additional two feet to his existing six-foot wall if the footings were adequate. MR. ALEXANDER felt that it was not his responsibility to use his wall, but that the applicant needed to commit to doing the eight-foot

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MINUTES – Continued:

wall. In addition, the residents requested that the two-story housing be the entire contiguous point of existing houses, which is approximately two more homes and not one, as MR. PSIODA previously stated. The residents also requested that landscaping be placed down the entire back wall of Maverick Lane, which the applicant stated this would be addressed in Phase II but is not included in their plan. MR. ALEXANDER stressed that the residents have been able to reach agreements with every developer in their neighborhood and felt that it could also be done with Sterling S Development.

CHAIRMAN TRUESDELL asked that MR. PSIODA address the issues regarding vacating Maggie Avenue and the extension of Maverick Street. MR. PSIODA responded that although everyone was aware that a discussion could not take place, he was aware of the residents' requests regarding Phase II. He added that stipulations have been added concerning Phase II, although it was not part of the official record for the 20 acres. The stipulations included that Maverick Street be partially dedicated all the way down to the center of a property, which he pointed out on the diagram to the Commissioners. There is a current application to vacate a portion of Maggie Avenue. However, it does not preclude MR. ALEXANDER from utilizing it as an access point; it will not be a public street that the City has to maintain. So, MR. ALEXANDER has the freedom to utilize the street and place gravel on the road if he chooses to do so. Regarding Maverick Street, MR. PSIODA was under the impression that the existing wall is in the right-of-way. If it is, it would need to be torn down. The landscaping along the west side of Maverick Street on the east side of the property line, it appeared to be in the right-of-way. The applicant is willing to vacate Maverick Street for the residents. MR. PSIODA then stated that it was his understanding with the residents, that if the additional concessions he stated above were done, then the residents would give them full cooperation with the vacation.

CHAIRMAN TRUESDELL asked MR. PSIODA if staff agreed, would the applicant be willing to do the eight-foot wall. MR. PSIODA replied that it might not be possible to add two additional feet to the existing six-foot wall, but the applicant is not willing to do an eight-foot wall at this time. MR. CLAPSADDLE then confirmed for CHAIRMAN TRUESDELL that eight feet is the maximum allowed height. CHAIRMAN TRUESDELL felt that the applicant's willingness to pay for the vacation, as well as, the other concessions made were reasonable and appropriate. However, in all fairness to the residents, he felt it was more important to address the concern with the six-foot wall rather than restricting the development to one-story lots. The proposed size lots are appropriate, but he felt the eight-foot wall along the west development line should be required. He then stated he would support the proposed application.

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Item 48 – ZON-5302

MINUTES – Continued:

MR. ALEXANDER confirmed for COMMISSIONER STEINMAN that he did want the eight-foot wall, whether or not it would be the additional two feet on his existing wall or a new eight-foot wall. COMMISSIONER STEINMAN stated that it would not make sense to have an existing six-foot wall on MR. ALEXANDER'S property and an eight-foot wall everywhere else on the property. MR. PSIODA replied that an agreement could be negotiated. CHAIRMAN TRUESDELL stated that if an agreement cannot be made between now and City Council, there will never be an agreement. MR. ALEXANDER then stated that the residents attend these meetings and are willing to work with the developer, and the developer should commit to the eight-foot wall. If not, then hold the application until the applicant is willing to do so.

In response to CHAIRMAN TRUESDELL'S request to require the eight-foot wall along the west property line, COMMISSIONER STEINMAN stated that the requirement should be the south property line also. CHAIRMAN TRUESDELL concurred, as his intent was to include both.

COMMISSIONER EVANS asked had the Nevada Revised Statutes (NRS) that sunsetted regarding the Rural Neighborhood Preservation (RNP), would the proposed project be able to move forward? MR. CLAPSADDLE replied that sunset was the buffer area. RNP is a land use category that cannot be amended for the life of the development agreement between, between the life of the agreement between the City and the County. The applicant is not requesting to amend this; they are requesting a conforming zone change to the General Plan.

COMMISSIONER GOYNES asked if the applicant was willing to hold the item and work with the residents again. MR. PSIODA replied no, as previously they were willing to hold the item pertaining to the 20 acres on two occasions, and it has placed the developed behind schedule with this phase, the proposed project. There is a timeline that does not allow for the items to be held. COMMISSIONER GOYNES replied that MR. PSIODA'S response was somewhat arrogant and did not show "good neighbor" respect for the residents who currently reside in the community. MR. PSIODA respectfully disagreed with COMMISSIONER GOYNES because he felt that the developer is aware of the residents' concerns and he, himself, has read into record additional concessions that the applicant is willing to commit to. He added that this is the same layout that was proposed four to five months ago, and nothing has changed.

COMMISSIONER DAVENPORT stated that there appeared to be only two issues: having two story units and the eight-foot wall. He suggested having a motion to approve with the stipulation of having an eight-foot wall along the west and south property lines. Should MR. ALEXANDER'S existing six-foot wall not work, then the applicant would be required to build an additional eight-foot wall. MR. ALEXANDER would pick up another foot should his wall be torn down. MR. PSIODA concurred.

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MINUTES – Continued:

CHAIRMAN TRUESDELL confirmed that MR. PSIODA would work with the residents and MR. ALEXANDER between now and City Council regarding the eight-foot block wall. COMMISSIONER EVANS commented that it would be helpful in the future if applicants would submit information, such as concessions that are agreed upon, to staff prior to these meetings. It is difficult for the Commission and staff to try and craft proposed projects during Planning Commission meetings. MR. PSIODA apologized and concurred.

CHAIRMAN TRUESDELL declared the Public Hearing closed on Item 48 [ZON-5302], Item 49 [VAR-5306] and Item 50 [SDR-5304].

(8:11-8:52)

2-1283

CONDITIONS:

Planning and Development

1. A Resolution of Intent with a two-year time limit.
2. A Site Development Plan Review (SDR-5304) and open space Variance (VAR-5306) application approved by the Planning Commission and City Council prior to issuance of any permits, any site grading, and all development activity for the site.

Public Works

3. Dedicate 50 feet of right-of-way adjacent to this site for Iron Mountain Road where no right-of-way currently exists.
4. Dedicate 30 feet of right-of-way for Maverick Street, a 25-foot radius corner at the southeast corner of Iron Mountain Road and Maverick Street and 30 feet for Maggie Avenue where no right-of-way currently exists adjacent to this site. These dedications will not be required if a Vacation is recorded that would remove the need for these rights-of-way.
5. Construct half-street improvements including appropriate overpaving (if legally able) Iron Mountain Road and Brent Lane adjacent to this site concurrent with development of this site. Install all appurtenant underground facilities, if any, adjacent to this site needed for the future traffic signal system concurrent with development of this site. All existing paving damaged or removed by this development shall be restored at its original location

PLANNING COMMISSION MEETING OF NOVEMBER 4, 2004
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Item 48 – ZON-5302

CONDITIONS – Continued:

- and to its original width concurrent with development of this site. Extend all required underground utilities, such as electrical, telephone, etc., located within public rights-of-way, past the western boundaries of this site prior to construction of hard surfacing (asphalt or concrete).
6. Construct half-street improvements including appropriate overpaving (if legally able) on Maverick Street and Maggie Avenue adjacent to this site concurrent with development of this site. Install all appurtenant underground facilities, if any, adjacent to this site needed for the future traffic signal system concurrent with development of this site. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site. Extend all required underground utilities, such as electrical, telephone, etc., located within public rights-of-way, past the western boundaries of this site prior to construction of hard surfacing (asphalt or concrete). These construction requirements will not be required if a Vacation is recorded that would remove the need for these improvements.
 7. Extend oversized public sewer to the western edge of this site to a location and depth acceptable to the City Engineer. Provide public sewer easements for all public sewers not located within existing public street right-of-way prior to the issuance of any permits. Improvement Drawings submitted to the City for review shall not be approved for construction until all required public sewer easements necessary to connect this site to the existing public sewer system have been granted to the City.
 8. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: NOVEMBER 4, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

VAR-5306 - VARIANCE RELATED TO ZON-5302 - PUBLIC HEARING - APPLICANT: STERLING S DEVELOPMENT - OWNER: QUARTERHORSE FALLS ESTATES, LLC - Request for a Variance TO ALLOW ZERO ACRES OF OPEN SPACE WHERE 0.54 ACRES OF OPEN SPACE IS REQUIRED in conjunction with a proposed 33-lot single-family residential development on 15.79 acres adjacent to the southeast corner of Maverick Street and Iron Mountain Road (APN 125-11-507-002, 125-11-507-004, 125-11-503-001 and 002), U (Undeveloped) Zone [RE (Rural Estates) and RNP (Rural Neighborhood Preservation) General Plan Designations] [PROPOSED: R-PD2 (Residential Planned Development - 2 Units per Acre)], Ward 6 (Mack).

C.C. 12/01/04

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

DAVENPORT – APPROVED subject to conditions – Motion carried with McSWAIN abstaining as her company is presently doing work for Sterling S Development, NIGRO abstaining as he is currently in litigation with one of the principles at Sterling S Development and GOYNES and EVANS voting NO

To City Council 12/01/2004

MINUTES:

See Item 48 [ZON-5302] for all related discussion on Item 48 [ZON-5302], Item 49 [VAR-5306] and Item 50 [SDR-5304].

(8:11-8:52)

2-1283

PLANNING COMMISSION MEETING OF NOVEMBER 4, 2004
Planning and Development Department
Item 49 – VAR-5306

CONDITIONS:

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Rezoning and Site Development Plan Review (ZON-5302) and (SDR-5304).
2. This Variance shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
3. In lieu of compliance with the open space requirements of Municipal Code 19.06.040, the developer will be allowed to make a contribution to the City of Las Vegas Parks CIP Fund in the amount of $[23,522.4 \times \$4.00 = \$94,089.60]$ to be utilized by the City Council for improvements to existing public parks nearby. This contribution must be made to Land Development prior to approval of a Final Map, otherwise the developer is still required to comply with the Open Space requirement in accordance with Title 19 of the Las Vegas Municipal Code.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: NOVEMBER 4, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

SDR-5304 - SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-5203 AND VAR-5306 - PUBLIC HEARING - APPLICANT: STERLING S DEVELOPMENT - OWNER: QUARTERHORSE FALLS ESTATES, LLC - Request for a Site Development Plan FOR A PROPOSED 33-LOT SINGLE-FAMILY RESIDENTIAL DEVELOPMENT on 15.79 acres adjacent to the southeast corner of Maverick Street and Iron Mountain Road (APN 125-11-507-002, 125-11-507-004, 125-11-503-001 and 002), U (Undeveloped) Zone [RE (Rural Estates) and RNP (Rural Neighborhood Preservation) General Plan Designations] [PROPOSED: R-PD2 (Residential Planned Development - 2 Units per Acre), Ward 6 (Mack).

C.C. 12/01/04

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

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APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

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RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

DAVENPORT – APPROVED subject to conditions and adding the following conditions:

- **An eight-foot decorative wall along the west project perimeter and south facing connection shall be provided, as depicted in the applicant's submitted photo date stamped 11/01/2004.**
 - **The two lots at the southernmost cul-de-sac shall be single story structures.**
 - **No streetlights on private streets.**
 - **The setbacks for this project shall be 20 feet, upfront setback of 20 feet to the garage, a side setback of five feet, corner side at 15 feet and rear setback of 20 feet.**
- Motion carried with McSWAIN abstaining as her company is presently doing work for Sterling S Development, NIGRO abstaining as he is currently in litigation with one of the principles at Sterling S Development and GOYNES and EVANS voting NO**

To City Council 12/01/2004

PLANNING COMMISSION MEETING OF NOVEMBER 4, 2004
Planning and Development Department
Item 50 – SDR-5304

MINUTES:

See Item 48 [ZON-5302] for all related discussion on Item 48 [ZON-5302], Item 49 [VAR-5306] and Item 50 [SDR-5304].

(8:11-8:52)

2-1283

CONDITIONS:

Planning and Development

1. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.
2. All development shall be in conformance with the site plan and building elevations, date stamped September 21, 2004, except as amended by conditions herein.
3. Landscaping shall be installed on the north side of Brent Lane in a six (6) foot wide planter with 1 - 24" box tree every 30 linear feet on center, plus one (1) additional tree. Four (4), five (5) gallon shrubs shall be planted around each tree.
4. A twenty (20) foot multi-use trail is required south of Iron Mountain Road as indicated on Exhibit 1, Multi-Use Transportation Trail of the Transportation Trails Element of the 2020 Master Plan. The trail is required to have the following components: a five (5) foot transition strip, a ten (10) foot public transportation trail, and a five (5) foot private landscaped corridor. The trail shall be incorporated in the improvements of the south side of Iron Mountain Road and the proposed development.

Public Works

5. A Petition of Vacation to vacate Maverick Street and Maggie Avenue must be recorded prior to the recordation of a Final Map for this site. Alternatively appropriate rights-of-way may be dedicated to accommodate this site.
6. A Homeowner's Association shall be established to maintain all perimeter walls, private roadways, landscaping and common areas created with this development. All landscaping shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.
7. The design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.

PLANNING COMMISSION MEETING OF NOVEMBER 4, 2004
Planning and Development Department
Item 50 – SDR-5304

CONDITIONS – Continued:

8. Site development to comply with all applicable conditions of approval for Zoning Reclassification ZON-5302 and all other subsequent site-related actions.
9. The final layout of the subdivision shall be determined at the time of approval of the Tentative Map.
10. The approval of all Public Works related improvements shown on this Site Development Plan Review is in concept only. Specific design and construction details relating to size, type and/or alignment of improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to submittal of a Tentative Map or construction drawings, whichever may occur first. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the submittal of a Tentative Map or construction drawings, whichever may occur first. We note that non-standard knuckles, including private street/private drive intersections are proposed within this subdivision.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: NOVEMBER 4, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

ZON-5313 - REZONING - PUBLIC HEARING - APPLICANT: PARDEE HOMES OF NEVADA - OWNER: DANIEL M. CARPINO - Request for a Rezoning FROM: U (UNDEVELOPED) [TC (TOWN CENTER) [L-TC (LOW DENSITY RESIDENTIAL) TOWN CENTER SPECIAL LAND USE DESIGNATION] TO: T-C (TOWN CENTER) on 2.50 acres adjacent to the southwest corner of Fort Apache Road and Dorrell Lane (APN 125-19-602-002), Ward 6 (Mack).

C.C. 12/01/04

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

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APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

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RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

NIGRO – APPROVED subject to conditions – UNANIMOUS

To be heard by City Council 12/01/2004

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open on Item 51 [ZON-4313] and Item 52 [SDR-5317].

KYLE WALTON, Planning and Development Department, explained that this property is a corner parcel that needs to be rezoned so that it is uniform with the surrounding Town Center zoned parcels. The parcel is associated with approximately 20 acres to the south and west of the site and the applicant proposes a 108-lot single-family detached subdivision. The zoning is in order and the Site Plan is consistent with Town Center Standards.

DIANA BOSSARD, 2920 North Green Valley Parkway, appeared with KEN HENAFIN, Project Engineer, and concurred with all conditions and recommendations.

PLANNING COMMISSION MEETING OF NOVEMBER 4, 2004
Planning and Development Department
Item 51 – ZON-5313

MINUTES – Continued:

CHAIRMAN TRUESDELL declared the Public Hearing closed on Item 51 [ZON-4313] and Item 52 [SDR-5317].

(9:43-9:46)

3-882

CONDITIONS:

Planning and Development

1. This Rezoning request shall go direct to Ordinance.
2. Approval of Site Development Plan Review (SDR-5317) and Vacation (VAC-4218) applications by the Planning Commission and City Council prior to issuance of any permits, any site grading, and all development activity for the site.

Public Works

3. Dedicate 50 feet of right-of-way adjacent to this site for Fort Apache Road where no right-of-way currently exists, 40 feet for Dorrell Lane where no right-of-way currently exists and a 25 foot radius corner at the southwest corner of Fort Apache Road and Dorrell Lane.
4. Construct half-street improvements on Dorrell Lane and Fort Apache Road adjacent to this site and construct half-street improvements including appropriate overpaving (if legally able) on Deer Springs Way adjacent to this site concurrent with development. Also, construct all incomplete half-street improvements on Chieftain Street adjacent to this site concurrent with development. Install all appurtenant underground facilities, if any, adjacent to this site needed for the future traffic signal system concurrent with development. Extend all required underground utilities, such as electrical, telephone, etc., located within unimproved public rights-of-way, past the boundaries of this site prior to construction of hard surfacing (asphalt or concrete). All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site.
5. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct

PLANNING COMMISSION MEETING OF NOVEMBER 4, 2004
Planning and Development Department
Item 51 – ZON-5313

CONDITIONS – Continued:

such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: NOVEMBER 4, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

SDR-5317 - SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-5313 - PUBLIC HEARING - APPLICANT: PARDEE HOMES OF NEVADA - OWNER: DANIEL M. CARPINO AND PARDEE HOMES OF NEVADA - Request for a Site Development Plan FOR A PROPOSED 108-LOT SINGLE FAMILY RESIDENTIAL DEVELOPMENT on 20.18 acres adjacent to the southwest corner of Fort Apache Road and Dorrell Lane (APN 125-19-602-001 thru 011), U (Undeveloped) Zone [TC (Town Center) L-TC (Low Density Residential Town Center General Plan Designation)] [PROPOSED: T-C (Town Center) Zone], Ward 6 (Mack).

C.C. 12/01/04

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

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APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

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RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

NIGRO – APPROVED subject to conditions – UNANIMOUS

To be heard by City Council 12/01/2004

MINUTES:

See Item 51 [ZON-4313] for all related discussion on Item 51 [ZON-4313] and Item 52 [SDR-5317].

(9:43-9:46)

3-882

CONDITIONS:

Planning and Development

1. Approval of a Rezoning to T-C (Town Center) and a Vacation of government patent easements by the City Council. (ZON-5313), (ZON-4216) and VAC-4218.

PLANNING COMMISSION MEETING OF NOVEMBER 4, 2004
Planning and Development Department
Item 52 – SDR-5317

CONDITIONS – Continued:

2. All development shall be in conformance with the site plan and building elevations date stamped 09/21/04, except as amended by conditions herein, including the required median on Fort Apache Road.
3. The standards for this development shall include the following: minimum distance between buildings of 10 feet and building height shall not exceed two stories or 35 feet, whichever is less.
4. The setbacks for this development shall be a minimum of 10 feet to the front of the house or swing garage, 18 feet to the front of the garage as measured from back of sidewalk or from back of curb if no sidewalk is provided, 5 feet on the side, 10 feet on the corner side, and 10 feet in the rear, except for lots fronting on cul-de-sac bulbs, where 7 feet in the rear is allowed.
5. The landscape plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect minimum 24-inch box large canopy trees planted a minimum of 35 feet on-center along Fort Apache Road, with five-foot on-site and right-of-way amenity zones, and 24-inch box large canopy trees planted a minimum of 30 feet on-center along Dorrell Lane and along Deer Springs Way.
6. The required Primary Arterial Trail along Fort Apache Road, the Town Center Arterial Trail along Deer Springs Way and the Town Center Collector Trail along Dorrell Lane shall be constructed in accordance with the Town Center Design Standards.
7. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 19.12.050.
8. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.
9. All City Code requirements and design standards of all City departments must be satisfied.
10. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.

PLANNING COMMISSION MEETING OF NOVEMBER 4, 2004
Planning and Development Department
Item 52 – SDR-5317

CONDITIONS – Continued:

Public Works

11. Landscape and maintain all unimproved rights-of-way on Dorrell Lane, Deer Springs Way and Fort Apache Road adjacent to this site.
12. Submit an Encroachment Agreement for all landscaping and private improvements located in the Dorrell Lane, Deer Springs Way and Fort Apache Road public rights-of-way adjacent to this site prior to occupancy of this site.
13. Provide public sidewalk easements for all public sidewalks located outside of the public right-of-way concurrent with development of this site.
14. Site development to comply with all applicable conditions of approval for ZON-5313 and ZON-4216, VAC-4218, Town Center Standards, and all other site-related actions.
15. The approval of all Public Works related improvements shown on this Site Development Plan Review is in concept only. Specific design and construction details relating to size, type and/or alignment of improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to submittal of a Tentative Map or construction drawings, whichever may occur first. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the submittal of a Tentative Map or construction drawings, whichever may occur first.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: NOVEMBER 4, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

VAR-5288 - VARIANCE - PUBLIC HEARING - APPLICANT: LARRY S. DAVIS AND ASSOCIATES - OWNER: URBAN LAND AQUISITION, INC. - Request for a Variance TO ALLOW 78 PERCENT OF THE TOTAL FLOOR AREA OF A LIVE/WORK UNIT TO BE USED FOR RESIDENTIAL PURPOSES WHERE 50 PERCENT IS THE MAXIMUM ALLOWED in conjunction with a proposed 71-unit multi-family live/work development on 4.24 acres at 1980 Fremont Street (APN 139-35-803-010), C-2 (General Commercial), Ward 3 (Reese).

C.C. 12/01/04

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

EVANS – APPROVED subject to conditions – UNANIMOUS

To be heard by City Council 12/01/2004

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open on Item 53 [VAR-5288], Item 54 [SUP-5287], Item 55 [WVR-5289] and Item 56 [SDR-5286].

DAVID CLAPSADDLE, Planning and Development Department, explained that each unit is a three-story product. The design of the 1,900 square-foot units will accommodate a live/work environment. The first floor is the workspace area with the living area on the second and third floors. Staff is comfortable recommending approval of the variance because of this design. Each unit will have a two-car garage. The project will access both Fremont Street and Lewis Avenue.

PLANNING COMMISSION MEETING OF NOVEMBER 4, 2004
Planning and Development Department
Item 53 – VAR-5288

MINUTES – Continued:

The applicant is requesting a waiver to allow the sidewalk to be nine and a half feet instead of 11 feet. Approval of this waiver would still allow adequate area for street trees and would also allow more area for pedestrian access. The application is subject to a text amendment, which is an item to be heard later in the agenda, which would expand the Live/Work Overlay District to encompass this area. Approval of that Text Amendment [TXT-4602] has been imposed as a condition of approval on Item 54 [SUP-5287]. He informed the Commission that the project was reviewed according to the Downtown Centennial Landscaping Standard and it is in conformance.

MR. CLAPSADDLE indicated staff is also recommending approval of the build-to line waiver because there is a big transition in grade between the street right-of-way and where the buildings are proposed on the site. Also, the proposed setbacks would increase the pedestrian area that is available for use.

MARK ALLOCCO, Chad Vallinga P.E., Civil Engineer LLC, 3445 South Valley View Boulevard, appeared on behalf of the applicant and concurred with all conditions. He passed a model of the proposed project to the Commissioners for review.

COMMISSIONER STEINMAN confirmed with MR. ALLOCCO that there would be frontage landscaping as well as intense landscaping on the interior. The Commissioner also questioned the request to make the driveways narrower. MR. ALLOCCO replied that the request for reduction in driveway width from 39 feet to 32 feet is because the streets are going to be concrete. The applicant feels that because there will not be any calming devices to lower the speed limit, having a narrow driveway would promote more cautious driving. The concrete lining was chosen due to its longevity. COMMISSIONER STEINMAN confirmed with MR. CLAPSADDLE that the Fire Department did review the project and had no concerns.

DAVID GUERRA, Department of Public Works, stated that Condition 17 and Condition 18 of Item 56 [SDR-5286] would need to be amended. He suggested that Condition 17 needed a revision that included dedication of the cul-de-sac bulb at Lewis Street. Condition 18 would then need to be revised to include construction pertaining to that bulb area.

CHAIRMAN TRUSDELL commented that the project looked great. COMMISSIONER EVANS agreed and added that the area is in need of more projects such as this.

CHAIRMAN TRUESDELL declared the Public Hearing closed on Item 53 [VAR-5288], Item 54 [SUP-5287], Item 55 [WVR-5289] and Item 56 [SDR-5286].

(9:46-9:54)

3-974

PLANNING COMMISSION MEETING OF NOVEMBER 4, 2004
Planning and Development Department
Item 53– VAR-5288

CONDITIONS:

Planning and Development

1. Approval of an conformance to the Conditions of Approval for Special Use Permit (SUP-5287) and Site Development Plan Review (SDR-5286).
2. This Variance shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by City Council.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: NOVEMBER 4, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

SUP-5287 - SPECIAL USE PERMIT RELATED TO VAR-5288 - PUBLIC HEARING - APPLICANT: LARRY S. DAVIS AND ASSOCIATES - OWNER: URBAN LAND AQUISITION, INC. - Request for a Special Use Permit FOR A PROPOSED 71-UNIT LIVE/WORK DEVELOPMENT on 4.24 acres at 1980 Fremont Street (APN 139-35-803-010), C-2 (General Commercial) Zone, Ward 3 (Reese).

C.C.: 12/01/04 - IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

EVANS – APPROVED subject to conditions – UNANIMOUS

To be heard by City Council 12/01/2004

MINUTES:

See Item 53 [VAR-5288] for all related discussion on Item 53 [VAR-5288], Item 54 [SUP-5287], Item 55 [WVR-5289] and Item 56 [SDR-5286].

(9:46-9:54)

3-974

CONDITIONS:

Planning and Development

1. Conformance to all Minimum Requirements under Title 19.06.130 for the Live/Work use.

PLANNING COMMISSION MEETING OF NOVEMBER 4, 2004
Planning and Development Department
Item 54 – SUP-5287

CONDITIONS – Continued:

2. Approval of a Text Amendment (TXT-4602) to expand the boundaries of the Live/Work Overlay District to include the subject property.
3. Approval of and conformance to the Conditions of Approval of Site Development Plan Review SDR-5286.
4. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
5. All City Code Requirements and design standards of all City departments must be satisfied.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: NOVEMBER 4, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

WVR-5289 - WAIVER RELATED TO VAR-5288 AND SUP-5287 - PUBLIC HEARING
- APPLICANT: LARRY S. DAVIS AND ASSOCIATES - OWNER: URBAN LAND
AQUISITION, INC. - Request for a Waiver of Title 18.12.100 TO ALLOW 32-FOOT
PRIVATE STREETS WHERE 39 FEET IS THE MINIMUM WIDTH REQUIRED on 4.24
acres at 1980 Fremont Street (APN 139-35-803-010), C-2 (General Commercial) Zone, Ward 3
(Reese).

C.C. 12/01/04

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

EVANS – APPROVED subject to conditions – UNANIMOUS

To be heard by City Council 12/01/2004

MINUTES:

See Item 53 [VAR-5288] for all related discussion on Item 53 [VAR-5288], Item 54 [SUP-5287], Item 55 [WVR-5289] and Item 56 [SDR-5286].

(9:46-9:54)

3-974

CONDITIONS:

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Variance (VAR-5288), Special Use Permit (SUP-5287) and Site Development Plan Review (SDR-86).

PLANNING COMMISSION MEETING OF NOVEMBER 4, 2004
Planning and Development Department
Item 55 – WVR-5289

CONDITIONS – Continued:

2. All City Code requirements and all City design standards shall be met, other than those waived or varied through this and companion applications.

Public Works

3. Curbs on at least one side of 32 feet wide streets shall be constructed of red concrete and “Fire Lane No Parking” signs shall be provided in accordance with Section 901.4.2 of Ordinance #5115 to prevent parking on one side of the street. The curb coloring and signage shall be privately maintained in perpetuity by the Homeowner’s Association.
4. The design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.
5. A Homeowner's Association shall be established to maintain all perimeter walls, private roadways, landscaping and common areas created with this development. All landscaping shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: NOVEMBER 4, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

SDR-5286 - SITE DEVELOPMENT PLAN REVIEW RELATED TO VAR-5288, SUP-5287 AND WVR-5289 - PUBLIC HEARING - APPLICANT: LARRY S. DAVIS AND ASSOCIATES - OWNER: URBAN LAND ACQUISITION, INC. - Request for a Site Development Review and a Waiver of streetscape and build-to requirements FOR A PROPOSED 71-UNIT LIVE/WORK DEVELOPMENT on 4.24 acres at 1980 Fremont Street (APN 139-35-803-010), C-2 (General Commercial) Zone, Ward 3 (Reese).

C.C. 12/01/04

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

EVANS – APPROVED subject to conditions and amending the following conditions:

17. **Dedicate an additional 5 feet of right-of-way for a total half-street width of 50 feet on Fremont Street and dedicate the remaining portion of the cul-de-sac bulb on Lewis Street adjacent to this site prior to the issuance of any permits.**
18. **Construct all incomplete half-street cul-de-sac improvements on Lewis Street adjacent to this site concurrent with development of this site.**

– UNANIMOUS

To be heard by City Council 12/01/2004

MINUTES:

See Item 53 [VAR-5288] for all related discussion on Item 53 [VAR-5288], Item 54 [SUP-5287], Item 55 [WVR-5289] and Item 56 [SDR-5286].

(9:46-9:54)

3-974

PLANNING COMMISSION MEETING OF NOVEMBER 4, 2004
Planning and Development Department
Item 56 – SDR-5286

CONDITIONS:

1. A Text Amendment (TXT-4602) approved by City Council to expand the boundaries of the Live/Work Overlay District to include the subject property.
2. A Special Use Permit (SUP-5287) to allow the Live/Work development approved by City Council
3. This Site Development Plan Review shall expire two years from the date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
4. All development shall be in conformance with the site plan and building elevations, date stamped 09/21/04, except as amended by conditions herein.
5. A Waiver from the Downtown Centennial Plan build-to requirement is hereby approved, in order to allow a front yard setback of five feet along Fremont Street.
6. A Waiver from the Downtown Centennial Plan streetscape requirement is hereby approved, in order to allow a 9-1/2 foot sidewalk where 11 feet is required.
7. Prior to the submittal of a building permit, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.
8. Any property line wall shall be a decorative block wall with at least 20 percent contrasting materials. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.
9. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.
10. Prior to the issuance of building permits, a revised landscape plan must be submitted to and approved by the Department of Planning and Development showing a maximum of 12.5% of the total landscaped area as turf.

PLANNING COMMISSION MEETING OF NOVEMBER 4, 2004
Planning and Development Department
Item 56 – SDR-5286

CONDITIONS – Continued:

11. The streetscape treatment shall be reviewed and approved by the Planning and Development Department staff for conformance with the Downtown Centennial Plan prior to the time application is made for a building permit. All required landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner.
12. All new developments shall provide and install standard Fourth Street style fixtures in place of existing fixtures in accordance with Subsection DS3.1.k of the Downtown Centennial Plan. Exact specifications, shop drawings, and standard suppliers can be obtained from the City of Las Vegas Engineering Design Superintendent, Department of Public Works, 229-6272.
13. Any new utility or power service line provided to the parcel shall be placed underground from the property line to the point of on-site connection or on-site service panel location, in accordance with Subsection DS2.1.f of the Downtown Centennial Plan.
14. All mechanical equipment, air conditioners and trash areas shall be fully screened from street level and surrounding building views in accordance with Subsection DS5.1.j of the Downtown Centennial Plan.
15. Signage for the development shall be permitted in conformance with the requirements of the Live/Work Overlay District and Title 19.14.
16. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

17. Dedicate an additional 5 feet of right-of-way for a total half-street width of 50 feet on Fremont Street adjacent to this site prior to the issuance of any permits.
18. Construct all incomplete half-street improvements on Lewis Street adjacent to this site concurrent with development of this site.

PLANNING COMMISSION MEETING OF NOVEMBER 4, 2004
Planning and Development Department
Item 56 – SDR-5286

CONDITIONS – Continued:

19. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site.
20. The proposed gated access driveway shall be designed, located and constructed in accordance with Standard Drawing #222A.
21. A Homeowner's Association shall be established to maintain all perimeter walls, private roadways, landscaping and common areas created with this development. All landscaping shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.
22. The design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.
23. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.
24. Landscape and maintain all unimproved right-of-way on Fremont Street adjacent to this site.
25. Submit an Encroachment Agreement for all landscaping and private improvements located in the Fremont Street public right-of-way adjacent to this site prior to occupancy of this site.

PLANNING COMMISSION MEETING OF NOVEMBER 4, 2004
Planning and Development Department
Item 56 – SDR-5286

CONDITIONS – Continued:

26. The final layout of the subdivision shall be determined at the time of approval of the Tentative Map.
27. The approval of all Public Works related improvements shown on this Site Development Plan Review is in concept only. Specific design and construction details relating to size, type and/or alignment of public improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to submittal of a Tentative Map or construction drawings, whichever may occur first. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the submittal of a Tentative Map or construction drawings, whichever may occur first.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: NOVEMBER 4, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

VAR-5211 - VARIANCE - PUBLIC HEARING - APPLICANT: RICHARD MORENO
- OWNER: JOHN DAVIS GAUGHAN AND BARBARA ANGELA GAUGHAN -
Request for a Variance TO ALLOW TWO ACCESSORY STRUCTURES IN A FRONT YARD, WHERE ONLY ONE IS PERMITTED AND TO ALLOW A 40-FOOT FRONT YARD SETBACK WHERE A MINIMUM OF 50 FEET IS REQUIRED on 1.06 acres at 1940 South Tomsik Street (APN 163-04-304-007), R-E (Residence Estates) Zone, Ward 1 (Moncrief).

C.C. 12/01/04

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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RECOMMENDATION:

Staff recommends DENIAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

McSWAIN – APPROVED subject to conditions – UNANIMOUS

This is Final Action

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open.

KYLE WALTON, Planning and Development Department, explained that the site is being overbuilt. There is adequate room on the lot to meet Title 19A standards for setbacks and for accessory structures in the front. One of the accessory structures could be made part of the main building reducing the total number of accessory structures to 1. This would require only a minor modification to the floor plan. Also, the building could easily be moved back to 10 feet from the back of the property line, which would also bring the project into conformance with Title 19A. Staff recommends denial, as the hardship is self-imposed.

PLANNING COMMISSION MEETING OF NOVEMBER 4, 2004
Planning and Development Department
Item 57– VAR-5211

MINUTES – Continued:

RICHARD MORENO, Moreno and Associates, 300 South 4th Street, appeared on behalf of the applicant and stated the Variance is required because of a topographical situation that has caused the loss of 15 feet in the back of the property. The required setback at the back of the property is 35 feet and the proposed project is at 40 feet. He explained that approximately 40 percent of the property incurs a topographical problem that slopes down at the end of the property. The applicant did not feel that when the regulations were written, estate type properties were taken into consideration. MR. MORENO did not feel the Variance was detrimental and asked for approval.

COMMISSIONER McSWAIN agreed with staff that the property is being overbuilt. She felt MR. MORENO did justify good cause with relation to the topographical problem. The Commissioner described the rendering of the project as beautiful and said the attached structure was a technicality. The project would enhance the area and she would support the application as stated.

COMMISSIONER STEINMAN asked specifically where the topographical slide was located on the site because he had driven by it and did not notice it. MR. MORENO pointed out the area of the decrease on the exhibit. He explained that fill dirt would have to be brought in to finish the building. The estimate for that portion of the work is approximately \$40,000. COMMISSIONER STEINMAN confirmed that there is an existing six-foot wall and that the intent of the applicant is to fill the five-foot drop. CHAIRMAN TRUESDELL pointed out that in doing so, the dirt would be up to the height of the wall. COMMISSIONER STEINMAN reiterated that the site looked flat when he went out to look it.

COMMISSIONER McSWAIN confirmed with MR. MORENO that the applicant concurred with all conditions. CHAIRMAN TRUESDELL informed everyone that because this project does not have any existing construction, the Commission's disposition would be Final Action.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

(9:54-10:00)

3-1265

CONDITIONS:

Planning and Development

1. This Variance shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.

PLANNING COMMISSION MEETING OF NOVEMBER 4, 2004
Planning and Development Department
Item 57– VAR-5211

CONDITIONS – Continued:

Public Works

2. Meet with the Fire Protection Engineering Section of the Department of Fire Services prior to the issuance of any permits for this site; the design and layout of this site shall meet the approval of the Department of Fire Services.
3. Site development to comply with all applicable conditions of approval for PM-25-1999, the approved Drainage Study and all other applicable site-related actions.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: NOVEMBER 4, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

VAR-5216 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: OSTEOPATHIC MEDICAL ASSOCIATES OF NEVADA - Request for a Variance TO ALLOW A MONUMENT SIGN TO BE SET BACK SIX INCHES FROM THE FRONT PROPERTY LINE WHERE A FIVE-FOOT SETBACK IS REQUIRED on 0.69 acres adjacent to the northwest corner of Sahara Avenue and Mohawk Street (APN 163-01-810-004), P-R (Professional Office and Parking) Zone, Ward 1 (Moncrief).

C.C. 12/01/04

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

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APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

RECOMMENDATION:

Staff recommends DENIAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

McSWAIN – Motion to HOLD IN ABEYANCE – UNANIMOUS

To be Held In Abeyance to 12/02/2004 Planning Commission Meeting

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open.

KYLE WALTON, Planning and Development Department, stated there are no extraordinary circumstances or hardships regarding this application that would justify granting a Variance from the setback standard for signage. The applicant's hardship is self-imposed due to removal of a sign that was non-conforming. Now, the replacement sign being proposed must be in conformance.

PLANNING COMMISSION MEETING OF NOVEMBER 4, 2004
Planning and Development Department
Item 58– VAR-5216

MINUTES – Continued:

BRIAN COVEY, Young Electric Sign Company, 5119 South Cameron Street, appeared on behalf of the applicant. He explained that there is an easement on the site that affects the setback. If the sign were to be constructed behind the easement with the recommended setback, the sign would sit on the sidewalk. The applicant is requesting permission to set the sign closer to the easement line.

COMMISSIONER McSWAIN asked why the sign was being placed at this location now when the building has existed for sometime and has nice, established landscaping. MR. COVEY replied that the new location would be a better position to direct traffic to a more advantageous ingress on the property. COMMISSIONER McSWAIN confirmed with staff that the sign specifications and dimensions are in conformance with Code, the problem is the proposed location based on the setbacks.

CHAIRMAN TRUESDELL asked MR. COVEY if the applicant was in agreement with the “if approved” conditions. MR. COVEY did not know what the conditions were. Staff provided a copy to him and he concurred.

COMMISSIONER STEINMAN stated that if the sign were allowed at the proposed location, it would block the east view of drivers exiting the property and that he would not support the item. Sahara Avenue experiences a lot of high-speed traffic in that area and placing the sign there would be dangerous. He felt the sign would be more appropriate at the east of the property where there was enough room in the front to accommodate the required setback. MR. COVEY replied that the sign would be significantly setback from the street. COMMISSIONER STEINMAN said his concern was the sight line of the drivers sitting in their vehicles.

COMMISSIONER EVANS asked if staff concurred with COMMISSIONER STEINMAN’S assessment of the sight line and public safety. MR. WALTON indicated the applicant is requesting five feet because that would give the sight easement visibility that is required. If the sign were located further up the street where there is sufficient room behind the setback, there would not be an issue. Staff recommended denial because there is space on the lot where the sign could be installed and it would be in compliance.

CHAIRMAN TRUESDELL asked MR. COVEY if the applicant would consider moving the sign to the eastern portion of the property where it would be in compliance. MR. COVEY said he would have to ask and he requested the Commission hold the item in abeyance. Staff asked for a 30-day abeyance.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

(10:00-10:07)

3-1799

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: NOVEMBER 4, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

VAR-5227 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: COKE AND MAGGIE L.L.C. - Request for a Variance TO ALLOW A 25-FOOT FRONT YARD SETBACK WHERE 30 FEET IS REQUIRED AND TO ALLOW A 25-FOOT REAR YARD SETBACK WHERE 35 FEET IS REQUIRED on 10.25 acres adjacent to the northeast corner of Maggie Avenue and Coke Street (APN 125-09-501-003), U (Undeveloped) Zone [RE (Rural Estates) General Plan Designation], Ward 6 (Mack).

C.C. 12/01/04

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

RECOMMENDATION:

Staff recommends DENIAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

NIGRO – Motion to bring forward and HOLD IN ABEYANCE Item 4 [TMP-5290] and Item 19 [VAC-5265] to 11/18/2004 Planning Commission meeting, Item 28 [GPA-5102], Item 29 [VAR-5113], Item 30 [ZON-5106], Item 31 [VAR-5110], Item 32 [WVR-5294], Item 33 [SDR-5108] and Item 59 [VAR-5227] to 12/02/2004 Planning Commission meeting, Item 38 [VAR-5099], Item 39 [ZON-5092], Item 40 [VAR-5300], Item 41 [WVR-5299], Item 42 [SDR-5098], Item 43 [SUP-5096] and Item 44 [SDR-5093] to 1/13/2005 Planning Commission meeting, to TABLE Item 25 [MSP-4622], Item 26 [SUP-5112] and Item 27 [SDR-5116] and to accept the request to WITHDRAW WITHOUT PREJUDICE Item 61 [VAR-5298] – UNANIMOUS with McSWAIN abstaining on Item 19 [VAC-5265] because her company is bidding on work with DR Horton and on Item 4 [TMP-5290] and Item 61 [VAR-5298] because her company is under contract with each of the applicants (see Note below)

NOTE: CHAIRMAN TRUESDELL disclosed that he does own property in the downtown area; however, it is not located within the notification area for Item 26 [SUP-5112] and Item 27 [SDR-5116] so he would be comfortable voting on both items.

PLANNING COMMISSION MEETING OF NOVEMBER 4, 2004
Planning and Development Department
Item 59 – VAR-5227

MOTION – Continued:

NOTE: COMMISSIONER McSWAIN indicated she would abstain on Item 4 [TMP-5290] because her company is currently under contract with the KB Home and Item 61 [VAR-5298] because her company is currently under contract with the Molaskys.

MINUTES:

DAVID CLAPSADDLE, Planning and Development, stated that letters are on file for each of the requests.

(6:07 – 6:12)

1-115

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: NOVEMBER 4, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

VAR-5281 - VARIANCE - PUBLIC HEARING - APPLICANT: WELLES PUGSLEY ARCHITECTS, LLP - OWNER: DAVID A. CARTER AND CAROL FREW - Request for a Variance TO ALLOW A TWO-FOOT NINE INCH SIDE YARD SETBACK WHERE FIVE FEET IS THE MINIMUM REQUIRED FOR A PROPOSED ADDITION TO AN EXISTING DWELLING on 0.26 acres at 2812 Mason Avenue (APN 162-05-514-007), R-1 (Single Family Residential) Zone, Ward 1 (Moncrief).

C.C. 12/01/04

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

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APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

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RECOMMENDATION:

Staff recommends DENIAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Submitted at Meeting – Two Letters of Support from Adjacent Property Owners

MOTION:

McSWAIN – APPROVED subject to conditions – UNANIMOUS

This is Final Action

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open.

KYLE WALTON, Planning and Development Department, stated the proposed addition to the home substantially encroaches on the side yard setback and violates the 3-foot setback required by the Building and Safety Department. The hardship is self-imposed because the design could be modified to eliminate any need for a Variance.

PLANNING COMMISSION MEETING OF NOVEMBER 4, 2004
Planning and Development Department
Item 60 – VAR-5281

MINUTES – Continued:

WADE SIMPSON, Welles Pugsley Architects, 2480 East Tompkins Avenue, Suite 222, appeared on behalf of the applicant. MR. SIMPSON showed a floor plan of the home and explained it was originally built in the 1950's. The current owners purchased the home in 1991 and are now looking into renovations for the entire home. The renovations include a new roof, a new entryway, new drives and landscaping in the front and room additions. The portion that the application pertains to is a small piece of the renovation. The addition in question would be used for storage. MR. SIMPSON disagreed that the hardship is self-imposed because the storage is proposed in a location where it is needed, near the bedrooms.

MR. SIMPSON pointed out that all Building Codes would be met and the applicant understands there can be no openings in the addition and the walls would have to be fire rated. There will not be a problem with health, safety and welfare. The neighbors to the west and east have written approval letters and MR. SIMPSON presented copies of those letters to the City Clerk. MR. SIMPSON concluded by saying there is some existing landscaping that will shield the proposed addition from the view from the street.

COMMISSIONER McSWAIN asked for clarification of the floor plan because the area adjacent to the proposed storage closet labeled as an office and in the presentation information it was indicated that the storage was slated for an area outside the bedrooms. MR. SIMPSON responded that the entrance to the closet would be through the bathroom outside the office area.

The owner, CAROL CARTER, clarified that the office COMMISSIONER McSWAIN is referencing is currently an office and it will become the bedroom as part of the renovation process. There will be a new office built onto the home as an addition.

COMMISSIONER McSWAIN asked staff if there were properties currently being developed with a three-foot side yard setbacks. MR. WALTON replied that it does occur and in those instances, the Building Department imposes restrictions such as fire rating the walls and in some instances, adding sprinkler systems. COMMISSIONER McSWAIN said was happy to see someone renovate a home in an older neighborhood and because the addition did not run along the entire length of the home, she could support the application.

VICE CHAIRMAN NIGRO pointed out that the applicant would have to get a building permit and if the addition was not fire rated properly, the permit would not be issued.

COMMISSIONER EVANS was concerned about the distance between the proposed new addition and the neighbor's home. He was concerned about the safety issues and the potential of fire spreading should one home catch on fire.

PLANNING COMMISSION MEETING OF NOVEMBER 4, 2004
Planning and Development Department
Item 60 – VAR-5281

MINUTES – Continued:

MARGO WHEELER, Deputy Director, Planning and Development Department, explained that a building permit would not be issued for the addition unless all Building and Safety and Fire Code requirements are met. The wall would have to be fire rated and there would not be any openings.

COMMISSIONER EVANS also questioned whether or not the adjacent homeowners' insurance rates would escalate due to the close proximity of this project. He had heard that insurance companies are raising rates in such instances. Neither staff, nor MR. SIMPSON, was able to answer that question with authority.

COMMISSIONER STIENMAN said if the wall were fire rated, the concerns regarding fire spreading because of close proximity would not be an issue. He was concerned that fire could jump from one home to the next due to the dense vegetation between the homes. MRS. CARTER informed him that they have recently spent over \$1,200 removing trees and hedges. COMMISSIONER STEINMAN stated he had driven by the site and there was still a lot of vegetation on the side of the home. MRS. CARTER indicated it was approximately half of what was there previously.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

(10:07-10:15)
3-1265

CONDITIONS:

Planning and Development

1. This Variance shall expire one year from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
2. Development shall be in conformance with the attached site plan date-stamped 09/21/04.

Public Works

3. Meet with the Flood Control Section of the Department of Public Works to discuss drainage patterns for this site prior to the issuance of any building or grading permits, whichever may occur first, to ensure that positive drainage is maintained.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: NOVEMBER 4, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

VAR-5298 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: ANDREW MOLASKY - Request for a Variance TO ALLOW AN EXISTING FOUR-FOOT SOLID BLOCK WALL AND A SIX-FOOT BLOCK AND WROUGHT IRON WALL IN THE FRONT YARD WHERE FOUR FEET (TOP TWO FEET 50 PERCENT OPEN) IS THE MAXIMUM ALLOWED AND TO ALLOW AN EXISTING SIX-FOOT CHAIN LINK FENCE IN THE FRONT YARD WHERE FOUR FEET IS ALLOWED on 0.91 acres at 809 Shetland Road (APN 139-32-802-013), R-E (Residence Estates) Zone, Ward 1 (Moncrief).

APPLICANT REQUESTS WITHDRAWAL WITHOUT PREJUDICE

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends WITHDRAWAL WITHOUT PREJUDICE

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

NIGRO – Motion to bring forward and **HOLD IN ABEYANCE** Item 4 [TMP-5290] and Item 19 [VAC-5265] to 11/18/2004 Planning Commission meeting, Item 28 [GPA-5102], Item 29 [VAR-5113], Item 30 [ZON-5106], Item 31 [VAR-5110], Item 32 [WVR-5294], Item 33 [SDR-5108] and Item 59 [VAR-5227] to 12/02/2004 Planning Commission meeting, Item 38 [VAR-5099], Item 39 [ZON-5092], Item 40 [VAR-5300], Item 41 [WVR-5299], Item 42 [SDR-5098], Item 43 [SUP-5096] and Item 44 [SDR-5093] to 1/13/2005 Planning Commission meeting, to **TABLE** Item 25 [MSP-4622], Item 26 [SUP-5112] and Item 27 [SDR-5116] and to accept the request to **WITHDRAW WITHOUT PREJUDICE** Item 61 [VAR-5298] – **UNANIMOUS** with McSWAIN abstaining on Item 19 [VAC-5265] because her company is bidding on work with DR Horton and on Item 4 [TMP-5290] and Item 61 [VAR-5298] because her company is under contract with each of the applicants (see Note below)

PLANNING COMMISSION MEETING OF NOVEMBER 4, 2004
Planning and Development Department
Item 61 – VAR-5298

MOTION – Continued:

NOTE: CHAIRMAN TRUESDELL disclosed that he does own property in the downtown area; however, it is not located within the notification area for Item 26 [SUP-5112] and Item 27 [SDR-5116] so he would be comfortable voting on both items.

NOTE: COMMISSIONER McSWAIN indicated she would abstain on Item 4 [TMP-5290] because her company is currently under contract with the KB Home and Item 61 [VAR-5298] because her company is currently under contract with the Molaskys.

MINUTES:

DAVID CLAPSADDLE, Planning and Development, stated that letters are on file for each of the requests.

(6:07 – 6:12)

1-115

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: NOVEMBER 4, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

SUP-5230 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: TOMA HERFI INC - OWNER: EL CAPITAN ASSOCIATES, LLC AND HDA EQUITY LLC -
Request for Special Use Permit for BEER & WINE SALES, OFF-PREMISE located at 6955 N. Durango, Suite #1113 and #1114 (APN 125-20-201-024), T-C (Town Center) Zone, Ward 6 (Mack).

C.C.: 12/01/04 - IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

McSWAIN – APPROVED subject to conditions and adding the following conditions:

- *Approval of this Special Use Permit does not constitute approval of a liquor license.*
- *The sale of alcoholic beverages shall be limited to the sale of beer and wine only.*
- *The sale of individual containers of any size of beer, wine coolers or screw cap wine is prohibited. All such products shall remain in their original configurations as shipped by the manufacturer. Further, no repackaging of containers into groups smaller than the original shipping container size shall be permitted.*
- *This business shall operate in conformance to Chapter 6.5 of the City of Las Vegas Municipal Code.*

– **UNANIMOUS** with **TRUEDELL** abstaining because he represents a property owner to the south of the site, which is within the notification area

To be heard by City Council 12/01/2004

MINUTES:

CHAIRMAN TRUEDELL declared the Public Hearing open on Item 62 [SUP-5230] and Item 63 [SUP-5231].

PLANNING COMMISSION MEETING OF NOVEMBER 4, 2004
Planning and Development Department
Item 62 – SUP-5230

MINUTES – Continued:

DAVID CLAPSADDLE, Planning and Development Department, explained that this application is part of an overall Mixed-Use Project and although there are different suite numbers, in reality, it is one building with two separate use permits. Code standards for granting the Special Use Permits have been met.

Regarding Item 62 [SUP-5230], MR. CLAPSADDLE indicated there are standard conditions normally imposed upon applications of this nature and although the conditions were mentioned in the staff report, they were not listed in the conditions. He suggested adding a condition that the approval of the Special Use Permit would not constitute approval of a liquor license and that the sale of alcoholic beverages would be limited to the sale of beer and wine only. He also suggested adding language that would prohibit the sale of individual sized beer, wine coolers or screw cap wines. The same condition would require that all individual containers must remain in the original configurations as shipped by the manufacturer and may not be repackaged as smaller groups. Finally, he suggested adding a condition stating the business would operate in conformance to Chapter 6.5 of the City of Las Vegas Municipal Code.

DAVE EDER, Toma-Herfi, Inc., 225 South Stephanie Street, Suite 813, appeared on behalf of the applicant and concurred with all of staff's conditions and all of the suggested additional conditions except for the condition prohibiting single sales. He indicated the operators of this store are very experienced with management of liquor and convenience stores both here and in California and they have not had any problems in the past. MR. EDER felt the area of the valley the store would be located in would not be conducive to the problems normally caused by single sales. The clientele of the store would most likely be the residents of the apartments and condominiums that are located behind the store.

COMMISSIONER STEINMAN did not understand MR. EDER's justification that approval of single sales should be granted because there is an apartment complex behind the store. MR. EDER stated that it is the experience of the operators that 24-ounce size containers sell very well. He also said there would not be people sitting in the parking lot drinking quart-sized beers.

VICE CHAIRMAN NIGRO asked staff to elaborate on the City Council's policy regarding applications that the Planning Commission sends forward with recommendations of limiting single sales. MARGO WHEELER, Deputy Director, Planning and Development Department, explained that the Council has waived the condition in rare occasions.

PLANNING COMMISSION MEETING OF NOVEMBER 4, 2004
Planning and Development Department
Item 62– SUP-5230

MINUTES – Continued:

DEPUTY CITY ATTORNEY BRYAN SCOTT stated that the Council has also given the applicants an opportunity to prove that they can be responsible operators by requiring a six-month review period before considering allowing single sales. VICE CHAIRMAN NIGRO added that the applicant could also file for a waiver of the condition as well.

COMMISSIONER EVANS asked if the apartment complex in question was currently occupied. MR. CLAPSADDLE replied that they are currently vacant.

COMMISSIONER STEINMAN wanted to make sure the other Commissioners noted the 19 protests in the backup. He said some of the listed concerns related to an area school and children being in the neighborhood. MR. CLAPSADDLE stated there was a one-page petition with multiple signatures in the backup along with letters from two residents.

VICE CHAIRMAN NIGRO declared the Public Hearing closed Item 62 [SUP-5230] and Item 63 [SUP-5231].

(10:15-10:22)

3-2100

CONDITIONS:

Planning and Development

1. Conformance to all Minimum Requirements of Town Center Development Standards Manual.
2. This Special Use Permit shall expire one year from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
3. All City Code requirements and design standards of all City departments must be satisfied.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: NOVEMBER 4, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

SUP-5231 - SPECIAL USE PERMIT RELATED TO SUP-5230 - PUBLIC HEARING -
APPLICANT: TOMA HERFI INC - OWNER: EL CAPITAN ASSOCIATES, LLC AND
HDA EQUITY LLC - Request for a Special Use Permit FOR PACKAGE LIQUOR SALES
located at 6955 N. Durango, Suite #1115 and #1116 (APN 125-20-201-024), T-C (Town Center)
Zone, Ward 6 (Mack).

C.C.: 12/01/04 - IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

McSWAIN – APPROVED subject to conditions and adding the following conditions:

- *This business shall operate in conformance to Chapter 6.5 of the City of Las Vegas Municipal Code.*
 - *Approval of this Special Use Permit does not constitute approval of a liquor license.*
- **UNANIMOUS** with **TRUESDELL** abstaining because he represents a property owner to the south of the site, which is within the notification area

To be heard by City Council 12/01/2004

MINUTES:

See Item 62 [SUP-5230] for all related discussion on Item 62 [SUP-5230] and Item 63 [SUP-5231].

(10:15-10:22)

3-2100

PLANNING COMMISSION MEETING OF NOVEMBER 4, 2004
Planning and Development Department
Item 63– SUP-5231

CONDITIONS:

Planning and Development

1. Conformance to all Minimum Requirements under Town Center Development Standards Manual.
2. This Special Use Permit shall expire one year from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
3. All City Code requirements and design standards of all City departments must be satisfied.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: NOVEMBER 4, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

SUP-5296 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: WP SOUTH ACQUISITIONS, LIMITED LIABILITY COMPANY - OWNER: MONTECITO PADS, LLC - Request for a Special Use Permit TO ALLOW A DENSITY OF 66.94 UNITS PER ACRE WHERE 50 UNITS PER ACRE IS THE MAXIMUM ALLOWED FOR A PROPOSED 399-UNIT HIGH DENSITY RESIDENTIAL DEVELOPMENT adjacent to the southeast corner of Elkhorn Road and Grand Montecito Parkway (APN 125-20-510-002), T-C (Town Center) Zone [UC-TC (Urban Center Mixed Use) Town Center Special Land Use Designation], Ward 6 (Mack).

C.C.: 12/01/04 - IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

GOYNES – APPROVED subject to conditions – **UNANIMOUS** with McSWAIN abstaining because she believed her company had been asked to look at this project and TRUESDELL abstaining because he represents a property within the notification area

To be heard by City Council 12/01/2004

MINUTES:

VICE CHAIRMAN NIGRO declared the Public Hearing open on Item 64 [SUP-5296] and Item 65 [SDR-5295].

KYLE WALTON, Planning and Development Department, explained the Special Use Permit has been filed in accordance with the Montecito Development Agreement, which states that a higher density is possible with the approval of a Special Use Permit. The proposed density is consistent

PLANNING COMMISSION MEETING OF NOVEMBER 4, 2004
Planning and Development Department
Item 64– SUP-5296

MINUTES – Continued:

with the density expected in Town Center and staff is recommending approval.

Regarding the Site Development Plan, the site is currently zoned Town Center so the proposed project is consistent with the zoning. The project is also consistent with the Montecito Development Agreement and it is compatible with surrounding properties.

JENNIFER LAZOVICH, Attorney, Kummer Kaempfer Bonner & Renshaw, 3800 Howard Hughes Parkway, appeared on behalf of the applicant and concurred with all conditions. She also commended DAVID CLAPSADDLE on a job well done and said he would be missed. She welcomed him to the private sector.

VICE CHAIRMAN NIGRO declared the Public Hearing closed on Item 64 [SUP-5296] and Item 65 [SDR-5295].

(10:22-10:26)

3-2400

CONDITIONS:

Planning and Development

1. A Site Development Review application (SDR-5295) for a High Density Residential Development at the southeast corner of Elkhorn Road and Durango Drive approved by the City Council.
2. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: NOVEMBER 4, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

SDR-5295 - SITE DEVELOPMENT PLAN REVIEW RELATED TO SUP-5296 - PUBLIC HEARING - APPLICANT: WP SOUTH ACQUISITIONS, LIMITED LIABILITY COMPANY - OWNER: MONTECITO PADS, LLC - Request for a Site Development Review FOR A PROPOSED 399-UNIT FIVE-STORY HIGH DENSITY RESIDENTIAL DEVELOPMENT on 5.96 acres adjacent to the southeast corner of Elkhorn Road and Grand Montecito Parkway (APN 125-20-510-002), T-C (Town Center) Zone [UC-TC (Urban Center Mixed Use) Town Center Special Land Use Designation], Ward 6 (Mack).

C.C. 12/01/04

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

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APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

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RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

GOYNES – APPROVED subject to conditions – UNANIMOUS with McSWAIN abstaining because she believed her company had been asked to look at this project and TRUESDELL abstaining because he represents a property within the notification area

To be heard by City Council 12/01/2004

MINUTES:

See Item 64 [SUP-5296] for all related discussion on Item 64 [SUP-5296] and Item 65 [SDR-5295].

(10:22-10:26)
3-2400

PLANNING COMMISSION MEETING OF NOVEMBER 4, 2004
Planning and Development Department
Item 65 – SDR-5295

CONDITIONS:

Planning and Development

1. A Special Use Permit (SUP-5296) for a High Density residential development at the southeast corner of Elkhorn Road and Durango Drive approved by the City Council.
2. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
3. The elevations shall be modified to include more articulation by using boxouts and staggering of the footprint of the buildings and use of arcades. The roof with only parapets should be altered to include hipped and sloped roofs. The straight, flat roof line shall be modified to include more vertical articulation by perhaps having portions of the fourth floor be omitted resulting in portions of the buildings be limited to three stories or portions being five stories.
4. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.
5. All development shall be in conformance with the site plan and building elevations, date stamped September 4, 2004, except as amended by conditions herein.
6. Prior to the issuance of building permits, a revised landscape plan must be submitted to and approved by the Department of Planning and Development showing a maximum of 15% of the total landscaped area as turf and which contains plant species that appear on Appendix B (Plant Palette) to the Montecito Town Center Development Agreement..
7. Prior to the submittal of a building permit, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.
8. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner. [Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.]
9. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.

PLANNING COMMISSION MEETING OF NOVEMBER 4, 2004
Planning and Development Department
Item 65 – SDR-5295

CONDITIONS – Continued:

10. Parking lot lighting standards shall be no more than 30 feet in height and shall utilize 'shoe-box' fixtures and downward-directed lights. Wallpack lighting shall utilize 'shoe-box' fixtures and downward-directed lights on the proposed building. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
11. A Master Sign Plan shall be submitted for approval of the Centennial Hills Architectural Committee prior to the issuance of a Certificate of Occupancy for any building on the site.
12. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 19.12.050.
13. Any internal property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.
14. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

15. Construct half-street improvements, including appropriate overpaving, on Grand Montecito Parkway adjacent to this site concurrent with development of this site. Coordinate with the City Engineer regarding the Elkhorn Road overpass improvement project and how this site will be impacted. Install all appurtenant underground facilities, if any, adjacent to this site needed for the future traffic signal system concurrent with development of this site. Extend all required underground utilities, such as electrical, telephone, etc., located within public rights-of-way, past the boundaries of this site prior to construction of hard surfacing (asphalt or concrete).
16. Driveways shall be designed, located and constructed in accordance with Standard Drawing #222A.
17. Coordinate with the City Engineer's office to determine the correct median opening locations on Grand Montecito Parkway and coordinate with the City Traffic Engineer for driveway placement at the openings.
18. If not already constructed by the Master Developer, coordinate with the Collection Systems Planning Section of the Department of Public Works to determine downstream sewer construction requirements per the Montecito Development Agreement. Provide a

PLANNING COMMISSION MEETING OF NOVEMBER 4, 2004
Planning and Development Department
Item 65 – SDR-5295

CONDITIONS – Continued:

Provide a plan to the Department of Public Works for approval prior to submittal of construction drawings for this site. Provide public sewer easements for all public sewers not located within existing public street right-of-way prior to the issuance of any permits as required by the Department of Public Works. Improvement Drawings submitted to the City for review shall not be approved for construction until all required public sewer easements necessary to connect this site to the existing public sewer system have been granted to the City.

19. Landscape and maintain all unimproved rights-of-way on Elkhorn Road and Grand Montecito Parkway adjacent to this site.
20. Submit an Encroachment Agreement for all landscaping and private improvements located in the Elkhorn Road and Grand Montecito Parkway public rights-of-way adjacent to this site prior to occupancy of this site.
21. Meet with the Fire Protection Engineering Section of the Department of Fire Services prior to submittal of any construction drawings for this site. The design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.
22. An update to the previously approved Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. If additional rights-of-way are not required and Traffic Control devices are or may be proposed at this site outside of the public right-of-way, all necessary easements for the location and/or access of such devices shall be granted prior to the issuance of permits for this site. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.

PLANNING COMMISSION MEETING OF NOVEMBER 4, 2004
Planning and Development Department
Item 65 – SDR-5295

CONDITIONS – Continued:

23. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.
24. Site development to comply with all applicable conditions of approval for Z-76-98, the Montecito Town Center Development Agreement, the Montecito Town Center North commercial subdivision and all other applicable site-related actions.
25. The approval of all Public Works related improvements shown on this Site Development Plan Review is in concept only. Specific design and construction details relating to size, type and/or alignment of improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to submittal of a Tentative Map or construction drawings, whichever may occur first. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the submittal of a Tentative Map or construction drawings, whichever may occur first.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: NOVEMBER 4, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

SUP-5305 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: ARIEL VALLI ARCHITECTS - OWNER: GEOFFREY D. COMMONS AND JOHN L. SUTER -
Request for a Special Use Permit FOR A PROPOSED MINI-WAREHOUSE FACILITY adjacent to the west side of Jones Boulevard, approximately 250 feet north of Cheyenne Avenue (APN 138-11-804-025), U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] under Resolution of Intent to C-1 (Limited Commercial) Zone, Ward 6 (Mack).

C.C.: 12/01/04 - IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

McSWAIN – APPROVED subject to conditions – UNANIMOUS with TRUESDELL abstaining because he owns an interest in the property directly across the street from this site

To be heard by City Council 12/01/2004

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open on Item 66 [SUP-5305] and Item 67 [SDR-5307].

KYLE WALTON, Planning and Development Department, stated the proposed mini-warehouse is compatible with the existing and future surrounding uses. With compliance to the conditions, the proposed use would be harmonious with the adjacent land uses and staff is recommending approval.

PLANNING COMMISSION MEETING OF NOVEMBER 4, 2004
Planning and Development Department
Item 66 – SUP-5305

MINUTES – Continued:

RICHARD MORENO, Moreno & Associates, 300 South 4th Street, appeared on behalf of the applicant and concurred with all conditions.

VICE CHAIRMAN NIGRO declared the Public Hearing closed on Item 66 [SUP-5305] and Item 67 [SDR-5307].

(10:26-10:30)

3-2581

CONDITIONS:

Planning and Development

1. Conformance to all Minimum Requirements under Title 19.04.050 for Mini-Warehouse use.
2. Approval of and conformance to the Conditions of Approval for Site Development Review (SDR-5307).
3. This Special Use Permit shall expire two year from the date of the final approval, unless it is exercised or an Extension of Time is granted by the City Council.
4. All City Code requirements and design standards of all City departments must be satisfied.
5. The building design shall incorporate patterns and materials that provide visual interest. This shall be accomplished through the use of changes in color, materials and/or relief such as the inclusion of beltlines, pilasters, recesses, pop outs, etc.
6. The site shall incorporate a trash enclosure, which is fully enclosed using the same design theme and materials to those used in the main structure. The trash enclosure shall conform to Title 19.08 Design Standards.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: NOVEMBER 4, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

SDR-5307 - SITE DEVELOPMENT PLAN REVIEW RELATED TO SUP-5305 - PUBLIC HEARING - APPLICANT: ARIEL VALLI ARCHITECTS - OWNER: GEOFFREY D. COMMONS AND JOHN L. SUTER - Request for a Site Development Plan Review and Waivers to allow a zero-foot rear yard setback where 20 feet is required and of the perimeter landscaping requirements FOR A PROPOSED 85,555 SQUARE-FOOT MINI-WAREHOUSE FACILITY on 2.69 acres adjacent to the west side of Jones Boulevard, approximately 250 feet north of Cheyenne Avenue (APN 138-11-804-025), U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] under Resolution of Intent to C-1 (Limited Commercial) Zone, Ward 6 (Mack).

C.C. 12/01/04

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

McSWAIN – APPROVED subject to conditions – UNANIMOUS with TRUESDELL abstaining because he owns an interest in the property directly across the street from this site

To be heard by City Council 12/01/2004

MINUTES:

See Item 66 [SUP-5305] for all related discussion on Item 66 [SUP-5305] and Item 67 [SDR-5307].

(10:26-10:30)

3-2581

PLANNING COMMISSION MEETING OF NOVEMBER 4, 2004
Planning and Development Department
Item 67 – SDR-5307

CONDITIONS:

Planning and Development

1. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.
2. All development shall be in conformance with the site plan and building elevations, date stamped September 9, 2004, except as amended by conditions herein.
3. Prior to the issuance of building permits, a revised landscape plan must be submitted to and approved by the Department of Planning and Development showing a maximum of 15% (or plug in whatever number is 50% of what is normally required) of the total landscaped area as turf.
4. The building design shall incorporate patterns and materials that provide visual interest. This shall be accomplished through the use of changes in color, materials and/or relief such as the inclusion of beltlines, pilasters, recesses, pop outs, etc. The following elevations shall fulfill the above-mentioned requirements: 'A2' southern elevation, 'B' northern elevation, and 'A3' western elevation.
5. The existing wall along the south property line shall incorporate a minimum of 20 percent contrasting material. All walls shall include detail variations such as pilasters, decorative caps, decorative iron cutouts, or fluted blocks.
6. All perimeter landscaping is hereby waived, however the same square footage of landscaping shall be relocated throughout the site.
7. The site shall incorporate a trash enclosure, which is fully enclosed using the same design theme and materials to those used in the main structure. The trash enclosure shall conform to Title 19.08 Design Standards.

Public Works

8. Remove all substandard public street improvements, if any, adjacent to this site and replace with new improvements meeting current City Standards concurrent with on-site development activities.
9. Construct sidewalk on at least one side of all access drives connecting this site to the adjacent public streets concurrent with development of this site; the connecting sidewalk shall extend from the sidewalk on the public street to the first intersection of the on-site roadway network; the connecting sidewalk shall be terminated on-site with a handicap ramp.

PLANNING COMMISSION MEETING OF NOVEMBER 4, 2004
Planning and Development Department
Item 67 – SDR-5307

CONDITIONS – Continued:

10. The proposed driveway shall be designed, located and constructed in accordance with Standard Drawing #222A. Provide a copy of the recorded private ingress/egress easement, as shown on this site plan, with parcel to the north.
11. Provide a copy of a recorded Joint Access Agreement between this site and the adjoining parcel to the west prior to the issuance of any permits.
12. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site, whichever may occur first. Provide and improve all drainage ways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.
13. Site development to comply with all applicable conditions of approval for Zoning Reclassification Z-68-02 and all other applicable subsequent site-related actions.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: NOVEMBER 4, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

SUP-5301 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: JOHN SCHWARY - OWNER: ROBERT T. PASWELL AND ROSALIE PASWELL - Request for a Special Use Permit FOR AN EXISTING TRANSITIONAL LIVING GROUP HOME acres at 1707 and 1711 Santa Paula Drive (APN 162-03-313-002 and 003) R-4 (High Density Residential) Zone, Ward 3 (Reese).

C.C.: 12/01/04 - IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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RECOMMENDATION:

Staff recommends DENIAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open.

KYLE WALTON, Planning and Development Department, stated that staff has been working with the Business Licensing Department and Code Enforcement. The use is currently operating without a business license. Code Enforcement has visited the site and found a halfway house for persons with felony conviction in operation. As of September 9, 2004, the applicant was required to vacate the premises. Citations have not been issued because Code Enforcement is waiting to see if the Special Use Permit will be granted.

Staff feels the proposed use cannot be harmonious or compatible with the neighborhood and staff is recommending denial.

PLANNING COMMISSION MEETING OF NOVEMBER 4, 2004
Planning and Development Department
Item 68 – SUP-5301

MINUTES – Continued:

JOHN SCHWARY, 445 East Hubert Street, Mesa, Arizona, appeared and stated he was the director of the program that operates the home.

CHAIRMAN TRUESDELL confirmed with MR. SCHWARY that he understood the concerns raised by staff regarding the inappropriateness to the area and lack of proper business licensing. MR. SCHWARY replied that he disagreed with staff. He stated that he encountered this situation previously with the City of Mesa. MR. SCHWARY indicated he runs a recovery program for addicts and alcoholics who are protected under Fair Housing laws. The City of Mesa filed a suit against him and after being in court for five years MR. SCHWARY prevailed in the case. He felt the same could happen in this situation.

MR. SCHWARY stated that the individuals who live at this property are handicapped people. The only difference MR. SCHWARY could identify between his tenants and the neighbors was that his tenants were sober and did not do drugs or alcohol. The housing is completely drug free. MR. SHWARY said he was not sure about the criminal backgrounds of the individuals in this home. It is possible; however, they do not have to reveal any criminal history to be in the home. Some of the tenants may have a criminal background because that is common in people with drug and/or alcohol addiction. The facility does not have any contracts or associations with the Department of Corrections. The sole purpose for coming to this facility is to become clean and sober. MR. SCHWARY indicated the facility also assists the members in locating work.

MR. SCHWARY stated the facility works with the Metropolitan Police Department and Project Hope and the agency has received letters of commendation from former Mayor Jan Jones. The facility has been operating from this location for five years. In that time, there have been no issues with neighbors. In fact, there is a neighbor who likes to park her car in the driveway of this facility because it gets vandalized in her driveway. MR. SCHWARY said the facility does not cause a parking problem because there are only four vehicles for both buildings. There is plenty of parking at the site.

CHAIRMAN TRUESDELL asked if there were rules and regulations for the home. MR. SCHWARY confirmed that the rules are comparable to what would be found in an apartment complex. The Chairman then asked why, if MR. SCHWARY expected his tenants to comply with those rules, did he not feel he had to comply with the rules and regulations of the City of Las Vegas. MR. SCHWARY disclosed that he is not an attorney; however, in the last 12 years, he has learned a lot about the Fair Housing Law and he did not feel the ordinance was right or legal. He stated the City is trying to impose a law on handicapped people that would not apply to

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MINUTES – Continued:

non-handicapped people. MR. SCHWARY said that the people in this facility are only trying to get sober and the City is trying to impose a different set of rules upon them. CHAIRMAN TRUESDELL replied that the City is not treating them differently. The City wants to treat them the same as everyone else. A Special Use Permit is required for the type of use operating at this location.

MR. SCHWARY expects his tenants to follow the rules of the home so, he should be able to understand the concept of having to work within the system of Laws and Codes of the City of Las Vegas. MR. SCHWARY agreed that there needs to be laws and codes in place; however, the existence of laws and codes does not mean the laws and codes are not discriminatory.

RUTH PATRELLA, Property Manager, Bar K Realty, appeared on behalf of the owners of the property because they live out of state. The Realty company is around the corner from the subject property. MS. PATRELLA indicated that she has managed the four-plex for approximately six years and prior to MR. SCHWARY'S company taking over the lease, she found the clientele to be less than favorable. The current tenants are the best she could ask for. MS. PATRELLA indicated that the previous tenants had problems with drugs and noise. She drives her daughter to school everyday and passes by this site. She said it is impossible for someone to know the transitional home is located there. The services provided are wonderful, there have been no complaints and she did not see the difference between roommates sharing a home and this facility operating there. The men who live at this site are trying to get their lives back together and she supported the application.

JOHN DELIKANAKIS, Vice-President, Beverly Green Neighborhood Association, which this property is a part of. He concurred with CHAIRMAN TRUESDELL that anyone doing business within the City of Las Vegas has a duty to know the laws and regulations that govern that business. He stated the issue is not one of discrimination or Fair Housing law violations. At one time, the applicant was operating three apartment buildings. One was zoned professional and the applicant had tenants living in it. The other two were residential and the applicant did not have the proper licensing be in compliance.

Contrary to the comments of MS. PATRELLA, MR. DELIKANAKIS stated the individuals who live at this location are far from model tenants. The buildings are dilapidated and it was only after the association alerted Code Enforcement that the owners painted them. He believed the buildings would incur several Code violations if they were inspected. MR. DELIKANAKIS disagreed with comments stating the homes blend in with the neighborhood. He stated the residents of the facility often sell donated goods in large yard sales.

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MINUTES – Continued:

MR. DELIKANAKIS suggested that if this were a quiet halfway house, like several others in the neighborhood, the residents would have no concerns. In this case, there is a high concentration of men living in three apartment complexes. The residents are constantly having car washes and yard sales. They do not operate legally from this complex. He urged the Commission to deny the application.

MAYNOR GOMEZ, 1720 Santa Paula Drive, indicated he lives directly across the street from the subject site. He concurred the comments of MR. DELIKANAKIS. He said the outdoor activities are very bad during the summer and during that time, the residents are often lounging outdoors all daylong. MR. GOMEZ also said that he often sees police vehicles out front although he has no idea of why they might be there. MR. GOMEZ pointed out that there is a small child daycare center next to his home and he did not feel it was appropriate to have this type of a residence nearby. He strongly opposed the application and asked the Commission to deny it.

DAVE FIDEL, owner of the property at 1808 Weldon Place, felt the people opposed to this site have probably never owned property in a transitional neighborhood. He has owned other properties in neighborhoods where he actually needed security to maintain the property. He was in support of this application because the few annoyances of this group are less of a threat than gang or drug activities he has experienced before. He asked that the Commission not harass the residents in this home and leave them alone. In five years, nothing out of the ordinary has occurred. He offered to show MR. GOMEZ a neighborhood that has truly deteriorated.

COMMISSIONER McSWAIN said she was disappointed in MR. SCHWARY'S presentation because the location of the property, with its proximity to the commercial corridor, could have been appropriate for this use. She found his disregard of adhering to the rules and regulations of the City disturbing. She confirmed with MR. WALTON that the Planning Commission hearing is the first step to getting the facility in conformance. MR. WALTON reiterated that Code Enforcement is pending action until the Special Use Permit application is either granted or denied. She asked if the Planning Commission was responsible for imposing conditions regarding the condition of the property or if Code Enforcement would establish those standards. MR. WALTON replied that conditions could be imposed for the use itself. As an example, he indicated these living spaces are to house six or fewer residents and should include a common area. MR. SCHWARY'S facility is in currently violation on both of those items. He added that if the Commission approved the application, the applicant would have to comply with the conditions that would be imposed on a transitional group home.

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MINUTES – Continued:

COMMISSIONER McSWAIN asked if approval is required from the City to host the yard sales mentioned by MR. DELIKANAKIS. MR. WALTON stated a garage sale could go to a point where they are practically a commercial venture. At that stage, a business license would be required. Garage sales are typically limited to two, or three, times a year. Title 19 defines a garage sale as “periodic.” They are also, not to be held as a fundraiser. COMMISSIONER McSWAIN confirmed with MARGO WHEELER, Deputy Director, Planning and Development, that there is an existing childcare facility at 1712 Santa Paula Drive.

MR. SCHWARY asked if MR. WALTON was indicating there should be six individuals per unit or per the entire four-plex. MR. WALTON replied that, per Title 19, there should be

MR. SCHWARY also indicated that his residents do not host carwashes because they are not allowed in Las Vegas because of the drought. There is a current business license for the complex to operate as an apartment building. He did not feel he needed to apply for a Special Use Permit because he did not think the transitional living home was a label housing fit within. In his opinion, this is only a home for people who want to be sober. MR. SCHWARY stated that if a person were to walk along the buildings on any given day, they would find residents lounging outside their overcrowded homes. He did not see the difference between those people and the residents of his facility who lounge in front of the building while drinking soda.

COMMISSIONER McSWAIN agreed with him in principle but added that if the home were truly invisible, there would not be any issue. She stated that she takes into consideration the credibility of the applicant and whether or not they would guarantee the facility would be harmonious with the neighborhood. She questioned whether or not there was an imposition to the neighborhood.

MS. WHEELER pointed out that the definition of transitional living home per Code is six or fewer persons within living arrangements. That would clarify that each unit could contain six persons if the Building Code Standards regarding occupancy concurred with that number.

COMMISSIONER EVANS stated that anyone who knows him would acknowledge his passion for programs such as this. He said it is possible to assist people who need help while respecting the needs of the neighborhood and the community as a whole. He believed the community needs services such as those provided by MR. SCHWARY. The issue becomes location. This location is not in the middle of a residential neighborhood and is partially surrounded by commercial uses. There are some aspects that are positive in terms of the location. The facility is lacking, as there

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MINUTES – Continued:

is no apparent common space for people to recreate within. He said that on any given day, drivers could see two or three people, regardless of the time of day, outside smoking cigarettes.

COMMISSIONER EVANS confirmed with MR. SCHWARY that his company is a 501C3 company and it was incorporated on January 9, 1992, in Arizona. The company operates within the City of Las Vegas as a foreign corporation. COMMISSIONER EVANS asked how the tenants were referred and why the applicant did not seek an actual permit for this facility. The Commissioner felt that the experience of a lengthily court process in Arizona would have taught MR. SCHWARY to set this business up legitimately. MR. SCHWARY replied that as a result of the court case in Mesa, three ordinances were amended and a cash settlement was awarded. The Commissioner indicated he drives down this road multiple times a day and has done so for the past six years. He has witnessed the yard sales and bizzarres and also, carwashes. The Commissioner stated he had seen a carwash underway at this location eight weeks earlier. The residents were actually jumping out into the street with signs that indicated a carwash. COMMISSIONER EVANS pointed out that the City has ordinances pertaining to the number of yard sales that can be held annually. He said that he has seen yard sales at least weekly for several years. He assumed the function was a fundraiser.

COMMISSIONER EVANS stated that to operate a facility such as that which is proposed, the business must blend into the neighborhood seamlessly and follow and comply with the rules and regulations of the City. This is not a matter of discrimination in any way. The Commissioner stated there really is no good location for a home such as this one; there are only different degrees of challenge. He indicated that should the board choose to deny this application, it does mean the board has a lack of concern, it means the applicant has failed to meet the necessary standards established by the City for this type of facility. Having driven by this home for approximately 11 years, he felt this location was problematic and makes a poor statement as an entryway to the neighborhood. The Commissioner speculated that the building itself could not comply with Code. He applauds individuals who are on a path to recovery from addiction but he would not be able support the item

COMMISSIONER STEINMAN asked staff about the comment within the backup stating the buildings were to be vacated on September 9th. MR. WALTON reiterated that Code Enforcement is monitoring the application before taking action. COMMISSIONER STEINMAN asked if Building and Safety had inspected the building. MR. WALTON stated he was only assured that Code Enforcement had visited the site and that the State Licensing Board had been involved. The Commissioner referenced a second story stairwell and suggested it was not able to support any weight.

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MINUTES – Continued:

CHAIRMAN TRUESDELL reminded everyone that the Building Department would address those types of issues and the Use Permit was the item on the agenda.

COMMISSIONER STEINMAN stated he was surprised at MR. SCHWARY'S attitude towards the City. He also indicated that he did not appreciate MR. SCHWARY insinuating that he would sue the City of Las Vegas as he has done to the City of Mesa. MR. SCHWARY responded that he would do it. COMMISSIONER STEINMAN stated that was not an appropriate way to gain a permit in the City and would not be supporting the item.

VICE CHAIRMAN NIGRO stated he did not support the application for the same reasons given by COMMISSIONER McSWAIN and COMMISSIONER EVANS. This application reflects how other applications of this nature are reviewed, with the facility open and running. He is looking for ways to approve applications such as this but there is complete disregard for City rules. VICE CHAIRMAN NIGRO stated the board would be more supportive of the industry if a more proactive approach were taken. The fact that MR. SCHWARY has been operational for five years meant nothing to the Vice Chairman. In fact, it works to the detriment to the application.

COMMISSIONER DAVENPORT stated his concurrence with the comments of the other Commissioners. He stated that he has seen the same type of yard sale, car wash activity at 520 and 528 Oakey Boulevard and asked the applicant if he has a transitional living group home there. MR. SCHWARY indicated they used to be at 530 East Oakey Boulevard and that is being vacated.

COMMISSIONER GOYNES stated he concurred with the Commission. He found it ironic that staff's report indicated the proposed use could not be conducted in a harmonious and compatible manner with the surrounding land uses. He asked that staff look at more applications for this type a facility in Ward 5 because many of the applications there have approval recommendations. Also, he concurred with VICE CHAIRMAN NIGRO'S comments that the board seems to review this type of business after they have been operating for some time. He felt a "campus" style atmosphere should be considered for this type of a use. There would be room for counseling and attention recovering addicts need and there would be a residential component.

CHAIRMAN TRUESDELL stated this was not the worse location this business could occupy; however, as out of state operators and owners, they do not care for the state of the home, which is in disrepair. He suggested MR. SCHWARY be a part of the community instead of acting like he

PLANNING COMMISSION MEETING OF NOVEMBER 4, 2004
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MINUTES – Continued:

was better than the community. CHAIRMAN TRUESDELL stated the property owners should be held accountable for the condition of the property. He would not support this application.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

(9:08-9:43)

2-3124

CONDITIONS:

Planning and Development

1. Conformance to all Minimum Requirements under Title 19.04.050.B for Transitional Living Group Home.
2. A revised site plan and floor plans shall be submitted to the Department of Planning and Development that show the proper amount of common area and the location of handicapped parking spaces prior to the issue of building permits.
3. The Special Use Permit shall be reviewed in six (6) months at which time the City Council will review the results of code enforcement inspections during the six months and may require the Transitional Living Group Home to cease all operations. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the Transitional Living Group Home cease and desist all activity.
4. This Special Use Permit shall expire one (1) year from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
5. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

6. Remove all unused driveway cuts and substandard public street improvements, including alley improvements, adjacent to this site and replace with new improvements meeting current Las Vegas Downtown Centennial City Standards prior to the issuance of any permits or a business license for this site.
7. Landscape and maintain all unimproved right-of-way on Santa Paula Drive adjacent to this site.

PLANNING COMMISSION MEETING OF NOVEMBER 4, 2004
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CONDITIONS – Continued:

8. Submit an Encroachment Agreement for all landscaping and private improvements located in the Santa Paula Drive public right-of-way adjacent to this site prior to the issuance of any permits or a business license for this site.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: NOVEMBER 4, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

DIR-5467 - DIRECTOR'S BUSINESS - PUBLIC HEARING - APPLICANT: CITY OF LAS VEGAS – Discussion and possible action on the Planning Commission Meeting Schedule for 2005.

P.C. FINAL ACTION

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

McSWAIN – APPROVED – UNANIMOUS

This is Final Action

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open.

MARGO WHEELER, Deputy Director, Planning and Development Department, explained that this item would give the Commissioners the schedule of Planning Commission Meetings for 2005. She noted that during the months of October, November and December, the meetings would be the first and third Thursday of the month, not the second and fourth Thursdays. This accommodates holidays and calendar events that would cause two meetings in a row.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

(10:30-10:31)

3-2781

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: NOVEMBER 4, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

TXT-4602 - TEXT AMENDMENT - PUBLIC HEARING - CITY OF LAS VEGAS -
Discussion and possible action to amend Title 19.06.130, "Live/Work Overlay District," in order to expand the boundaries of the Live/Work Overlay to include the East Fremont District of the Downtown Centennial Plan Area.

THIS WILL BE SENT TO CITY COUNCIL IN ORDINANCE FORM

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application – None
3. Staff Report

MOTION:

McSWAIN – APPROVED subject to condition – UNANIMOUS

To be forwarded to City Council in ordinance form

NOTE: CHAIRMAN TRUESDELL disclosed that he owns property in the downtown live/work area but not within the two proposed expansion areas. Because he is not affected by this ordinance, he would be voting.

NOTE: COMMISSIONER DAVENPORT also disclosed that he owns property in the downtown area but is not affected by this item and would be voting.

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open.

MARGO WHEELER, Deputy Director, Planning and Development Department, indicated this item would expand the boundary of the Live/Work Overlay District into the east Fremont area and the Medical District to allow live/work. Items would come before the Commission with a Special Use Permit Application and this text amendment would allow for that process.

City of Las Vegas

PLANNING COMMISSION MEETING OF NOVEMBER 4, 2004
Planning and Development Department
Item 70 – TXT-4602

MINUTES – Continued:

CHAIRMAN TRUESDELL declared the Public Hearing closed.

(10:31-10:34)

3-2989

CONDITIONS:

1. Title 19.06.130(C), “Boundaries,” is hereby amended to adopt a new map depicting the expanded boundaries of the Live/Work Overlay District, as incorporated below:



PLANNING COMMISSION AGENDA
PLANNING COMMISSION MEETING OF: NOVEMBER 4, 2004

CITIZENS PARTICIPATION:

ITEMS RAISED UNDER THIS PORTION OF THE PLANNING COMMISSION AGENDA CANNOT BE ACTED UPON BY THE PLANNING COMMISSION UNTIL THE NOTICE PROVISIONS OF THE OPEN MEETING LAW HAVE BEEN COMPLIED WITH. THEREFORE, ACTION ON SUCH ITEMS WILL HAVE TO BE CONSIDERED AT A LATER TIME.

MINUTES:

JEROME HOWELL, Las Vegas resident, appeared and informed the Commission that he is not from Las Vegas but came here after his father passed away. MR. HOWELL attended the meeting to speak on Item 68 [SUP-5301] and he apologized for missing the item. He asked what the disposition was on that item. CHAIRMAN TRUESDELL replied that the item was denied and that was Final Action unless appealed within 10 days. MR. HOWELL confirmed with CHAIRMAN TRUESDELL that the applicant must file the denial. It cannot be done on their behalf.

MR. HOWELL then asked if the facility would be closed down because of that action. DEPUTY CITY ATTORNEY BRYAN SCOTT informed MR. HOWELL that currently, the home does not have a business license and the City's Code Enforcement office has a case open on the facility. Whether or not that department will pursue a case will be determined by the status of the Special Use Permit application the applicant has filed.

MR. HOWELL then asked if there were any actions he, or the citizens of Las Vegas could take to prevent the closure of the facility. DEPUTY CITY ATTORNEY SCOTT said the City Council would make the final determination as to whether the applicant qualifies for the Special Use Permit and to do that, the applicant must file an appeal. VICE CHAIRMAN NIGRO pointed out that if the applicant did file an appeal, the item would be heard December 1, 2004. He informed MR. HOWELL that if the item is on the agenda, he is welcome to come and speak on the item.

MR. HOWELL concluded by asking what he had to do to start a bus service company. CHAIRMAN TRUESDELL indicated he would have to speak with someone in business licensing.

(10:34-10:37)
3-2990



PLANNING COMMISSION MEETING OF NOVEMBER 4, 2004
Planning and Development Department
Citizen's Participation – Continued

MEETING ADJOURNED AT 10:37 P.M.

Respectfully submitted:

ARLENE COLEMAN, DEPUTY CITY CLERK

STACEY CAMPBELL, DEPUTY CITY CLERK